
Privacy Notice for Members



Introduction

The Law Society of Northern Ireland (LSNI) respects your privacy and is committed to protecting your personal data. This privacy notice will inform you as to how we look after your personal data as a member of LSNI and tell you about your privacy rights and how the law protects you.

This privacy notice should be read in addition to the general website privacy notice, which deals with how we process your information when you use our website – www.lawsoc-ni.org. It is important that you read this privacy notice together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy notice supplements the other notices and is not intended to override them.

The LSNI processes personal information in the course of carrying out a variety of regulatory and representative functions related to the solicitors' profession. This includes processing for the purposes of education, training, and CPD. It also includes information processed to maintain the Roll of Solicitors, information processed about members during routine inspection, information processed in responding to enquiries received by LSNI, and information collected in the context of investigations, such where a complaint is received about a solicitor, or in the context of breaches by a solicitor of the law, regulations, codes of conduct and ethical standards which apply to solicitors.

1 Important information and who we are

Purpose of this privacy notice

This privacy notice aims to give you information on how LSNI collects and processes your personal data as a member of the Society, including any information you may provide through the members' section of our website, when you register interest in an event we are running, sign-up for a CPD course, and any other personal information you may from time to time supply to the LSNI.

Controller

LSNI is the controller and responsible for your personal data. We have appointed a Data Protection Officer who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact the Data Protection Officer using the details set out below.

Contact details

Our full details are:

Full name of legal entity:	Law Society of Northern Ireland
Internal Data Protection Liaison Officer:	Peter O'Brien
Email address:	peter.obrien@lawsoc-ni.org
Postal address:	Law Society House, 96 Victoria Street, Belfast, BT1 3GN
Telephone number:	028 90231614

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

Changes to the privacy notice and your duty to inform us of changes

We may change this privacy notice from time to time. This may be necessary for example if the law changes, or if we change our business in a way that affects the protection of personal data. This version was last updated on 23 May 2018.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us. Members can contact records@lawsoc-ni.org in order to update their records.

2 The data we collect about you

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).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together follows:

- **Identity Data** includes first name, last name, username or similar identifier, title, date of birth and gender.
- **Contact Data** includes business address, home address, email address and telephone numbers.
- **Technical Data** includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access the LSNI website, including the members' section of the website.
- **Profile Data** includes your username and password, purchases or orders made by you, your interests, preferences, feedback and survey responses.
- **Usage Data** includes information about how you use our website (including the members' section), products and services.
- **Communications Data** includes your preferences in receiving information from us and third parties.

We may also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does not directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature on the general or members' section of our website. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy notice.

Our Regulatory Function

We may collect other information about you or your business as part of our regulatory function. This might include a matter brought to the attention of the Professional Ethics and Home Charter Committee, and information gathered as part of one of our co-regulatory functions for example under the Insolvency Practitioner regime, or Anti-Money Laundering /Counter Terrorist Financing.

The types of information we may collect and process as part of our regulatory function is varied and may include:

- Your name
- Your role (solicitor, partner, trainee)
- Your contact details
- Your current and former practising addresses
- Your home address
- Your area of work
- Information about CPD you have undertaken
- Records of your attendance at events, or use of our services
- Any correspondence with the Society
- Any queries received from members of the public about you
- Regulatory records such as disciplinary decisions, and any previous regulatory history
- Information we collect from your firm to inform our regulatory work
- If you ask for guidance, we may keep a copy of this correspondence
- On occasion we may obtain Special Categories of Personal Data about you (for example, you may provide us with information about your health). We may obtain information about criminal convictions, offences and cautions where necessary in the exercise of our regulatory functions. We will only process personal data when it is lawful for us to do so.

If a solicitor appears before the Solicitors Disciplinary Tribunal, we retain a copy of the decision and if the solicitor is struck off, or their Practising Certificate is suspended, we must publish the decision. The Solicitors (Northern Ireland) Order 1976 (the Order) as amended provides for the circumstances in which Orders from the independent Solicitors Disciplinary Tribunal are kept and may be released.

If you fail to provide personal data

Where we need to collect personal data by law or to exercise our regulatory function, if you fail to provide the information, the matter may be referred to the Professional Ethics and Home Charter Committee, and may result in regulatory action under the Solicitors Practice Regulations 1987 (as amended).

Under the Solicitors Practice Regulations 1987 (as amended) you are required to reply with reasonable expedition to all letters addressed to you in relation to your professional conduct. Failure to respond without good reason or explanation may result in you being referred to the Solicitors Disciplinary Tribunal.

For example, if we receive a complaint about you from a client, we may ask that you provide us with certain information so that we can deal appropriately with the complaint. If this is the case, we will write to you setting out the information which is required. The LSNI may also exercise its powers under the Order to uplift the file. In the event that you do not respond a disciplinary reference may be made. If there are additional matters of substance giving cause for concern further reference to the Disciplinary Tribunal may be made. In the event that there are no such issues the referral for non-response may proceed to the Solicitors Disciplinary Tribunal, by resolution of the Council. If you seek to rely on documents on a file to support your response to LSNI in relation to a complaint, and you do not provide such documents with your response to the LSNI, the LSNI may draw inferences from the evidence available to it without further recourse to you.

3 How is your personal data collected?

We use different methods to collect data from and about you including through:

- Direct interactions. You give us your Identity and Contact Data when you seek to register with the LSNI, by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:

- complete your practising certificate application;
 - provide the records of your CPD;
 - sign an attendance sheet, or otherwise confirm your attendance at an event;
 - subscribe to our services or publications;
 - request that details of events are sent to you;
 - contact us with a general query;
 - correspond with us;
 - use the library services;
 - report a cyber-security scam;
 - provide a response to a query/ complaint which has been made about you;
 - complete a survey; or
 - give us some feedback.
- **In exercise of our Regulatory Functions.** For example, we may collect information about you via pre-Visit Questionnaires used for inspection purposes, through Access NI Disclosure Certificates, or via the Trust & Company Service Provider Register. We might receive general queries or comments about you from members of the public. We may receive queries about your eligibility to act as a Master, or queries or comments about how you have performed as a Master.
 - **Automated technologies or interactions.** As you interact with our website, including the members' section of the website, we may automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies. We may also receive Technical Data about you if you visit other websites employing our cookies. Please see our cookie policy for further details – <https://www.lawsoc-ni.org/cookie-policy>
 - Third parties or publicly available sources. We may receive personal data about you from various third parties and public sources as set out below:
 - (a) Analytics providers such as Google based outside the EU;
 - (b) Identity and Contact Data from publicly available sources such as Companies House and the Electoral Register based inside the EU;

4 How we use your personal data

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

- Where we need to perform a contract we are about to enter into or have entered into with you
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal or regulatory obligation.

Generally we do not rely on consent as a legal basis for processing your personal data other than in relation to sending third party direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by contacting our Head of Communications.

Purposes for which we will use your personal data

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate. Note that we may process your personal data for more than one lawful ground depending on the specific purpose

for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
<p>To manage our relationship with you which will include:</p> <ul style="list-style-type: none"> (a) Notifying you about changes to our terms or privacy policy (b) Asking you to leave a review or take a survey 	<ul style="list-style-type: none"> (a) Identity (b) Contact (c) Profile (d) Marketing and Communications 	<p>Lawful basis for processing including basis of legitimate interest</p> <ul style="list-style-type: none"> (a) Performance of a contract with you. (b) Necessary to comply with a legal obligation. (c) Necessary for our legitimate interests (to keep our records updated and to study how individuals use our services/the information we provide).
<p>To enable you to partake in a competition or complete a survey</p>	<ul style="list-style-type: none"> (a) Identity (b) Contact (c) Profile 	<ul style="list-style-type: none"> (a) Performance of a contract with you. (b) Necessary or our legitimate interests (to study how people use our products/services, to develop them).
<p>To administer and protect our organisation and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)</p>	<ul style="list-style-type: none"> (a) Identity (b) Contact (c) Technical 	<ul style="list-style-type: none"> (a) Necessary for our legitimate interests (for running our organisation, provision of administration and IT services, network security, to prevent fraud and in the context of reorganisation). (b) Necessary to comply with a legal obligation.
<p>To use data analytics to improve our website, products/services, marketing, relationship with the public and enhance user experiences.</p>	<ul style="list-style-type: none"> (a) Technical (b) Usage 	<ul style="list-style-type: none"> (a) Necessary for our legitimate interests (to define types of users of our services, to keep our website updated and relevant, to develop our organisation and to inform our marketing strategy)
<p>To make suggestions and recommendations to you about information, or services that may be of interest to you.</p>	<ul style="list-style-type: none"> (a) Identity (b) Contact (c) Technical (d) Usage (e) Profile 	<ul style="list-style-type: none"> (a) Necessary for our legitimate interests (to develop our services and enhance our organisation).

Cookies

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of this website may become inaccessible or not function properly.

Change of purpose

We will only use your personal data 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 you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data 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 data without your knowledge or consent, in compliance with data protection legislation, where this is required or permitted by law.

5 Disclosures of your personal data

We may have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 4 above.

- Internally within LSNI.
- If required to do so by law or as part of regulatory function.
- International transfers

6 International transfers

We do not transfer your personal data outside the European Economic Area (EEA) (which comprises the countries in the European Union and Iceland, Liechtenstein and Norway) unless it is necessary to deal with your complaint, for example, where you reside outside the EEA and we need to contact you. If we do transfer any personal data outside the EEA, we will ensure that there are appropriate safeguards in place to protect your data.

7 Data security

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

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

8 Data retention

How long will you use my personal data for?

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

9 Your legal rights

You have the right to:

- **Request access** to your personal data (commonly known as a “data subject access request”). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- **Request correction of the personal data that we hold about you.** This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.
- **Request erasure of your personal data.** This enables you to ask us to delete or remove personal data 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 data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
- **Object to processing of your personal data** 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 as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
- **Request restriction of processing of your personal data.** This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data’s accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- **Request the transfer of your personal data to you or to a third party.** We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.
- **Withdraw consent at any time where we are relying on consent to process your personal data.** However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

No fee usually required

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these 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 your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

Time limit to respond

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

10 Glossary

Lawful basis

Legitimate Interest means the interest of our organisation to enable us to properly execute our functions, and to give you the best service and the best and most secure experience on our website. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

Performance of Contract means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

Comply with a legal or regulatory obligation means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.

Third parties

External Third Parties

- Service providers acting as processors based in the United Kingdom who provide IT and system administration services.
- HM Revenue & Customs, regulators and other authorities acting as processors or joint controllers based in the United Kingdom who require reporting of processing activities in certain circumstances.