

PRIVACY NOTICE FOR VOLUNTEER BARRISTERS AND SCHEME MEMBERS

You are sending your personal information (data) to Advocate for the purposes of volunteering using your legal skills to help members of the public gain access to justice. We have measures in place to protect your data and to ensure it is kept safe.

Advocate is the “Data Controller” and we determine how your data will be used.

Advocate has appointed a Data Protection Officer: Rebecca Wilkie, Advocate Chief Executive. You can email her at dataprotection@weareadvocate.org.uk. You can also write to her at Rebecca Wilkie, Data Protection Officer, Advocate, 2nd Floor Lincoln House, 296-302 High Holborn, London, WC1V 7JH

Definitions

Below, “case record” means a physical file that identifies all details about a particular legal case, and/or the electronic version of this stored on our case management system - Salesforce.

“Case papers” means any documentation about the legal case which an applicant or their representative sends to us. If the case is assisted by more than one volunteer barrister, we will add any advice given by a previous panel member to these papers.

“Panel member” means any volunteer who has registered with Advocate to do pro bono cases through Advocate, whether through our core service or under the auspices of our licence. This therefore may include for example lawyers volunteering through schemes such as the Permission to Appeal Court of Appeal scheme.

“Reviewer” means any volunteer who has registered with Advocate to assess applications for help which Advocate receives to determine (by way of a review) suitability for legal help from a panel member.

People who may see your data, the systems we use, and the purpose of our processing

- Your contact details and information about your professional experience may be processed by Advocate at any time while you are an active volunteer by Advocate staff members, casework & office volunteers, other Advocate legal volunteers and Advocate trustees. This is for the purpose of telephone calls, emails or letter sending (via Outlook, Vertical Response, Paperless Post, Doodle, Salesforce, Royal Mail or DX) about Advocate reviews, Advocate cases, expressions of gratitude, and other Advocate news or activities (including event invitations and fundraising appeals). Personal information about reviewers will however never be shared (without the reviewer's consent) with an applicant whose case they assess for eligibility for our service. When Panel Members agree to take a case, personal information (name and contact details) will be shared with the relevant applicant and their referral agency (where appropriate).

- We will put your contact details and professional experience onto our electronic case management system, Salesforce, so that we can contact you with relevant volunteering opportunities.
- If you are a panel member your contact details (name and email address) will be added to the Advocate website when you register as a volunteer to enable you to log in to a secure area to see volunteering opportunities.
- We will save details of your contact information and professional experience included on your panel member registration form as a PDF/Word document in Advocate computer folders. Physical forms will be confidentially destroyed.
- If you are registering as an Advocate reviewer your contact information and professional experience from your reviewer application form will be shared with Advocate Liaison Reviewers (who are senior reviewers) via email to determine suitability for the role.
- Reviewers should expect their review, or assessment of the eligibility of the case for help, to be added to the electronic and physical case record.
- Volunteer barristers and other legal volunteers should expect their ‘impact form’, or record of the help they have given, as well as copies of any legal advice given pro bono, to be added to the electronic and physical case record. If the case is helped by more than one panel member, copies of any legal advice given pro bono by panel members will be added to the case papers which are then shared with any panel member assisting on the case subsequently.
- While you are an active volunteer we may share information about your volunteering with your Head of Chambers, Senior Clerk, Pro Bono Champion, Chambers Director (or similar) or relevant scheme organiser.
- Other people who may see your data include technical individuals and organisations who manage Advocate systems, including archiving suppliers. Anyone who helps Advocate in this way will always have been asked to sign a confidentiality agreement to confirm they will treat our data confidentially, and will not share information further.
- If you contact us to let us know you no longer wish to be an active volunteer, we will record that information on our online case management system, Salesforce, and you will no longer receive phone calls, emails or letters asking you to undertake Advocate reviews or cases. We will ask if you wish to opt in to hear from us via email about Advocate news or activities (including event invitations and fundraising appeals). If you do not opt in, you will no longer receive these. We will remove your name and email address from the secure Advocate website so you will no longer be able to log in to look at available cases.
- We will never sell your data.
- We do not make decisions based using automated decision-making tools and will not process your data in this manner.
- Sensitive data about you is collected in our equal opportunities form to help us monitor the effectiveness of our equal opportunities policy. On receipt, Advocate's Volunteer & Administration Coordinator separates the equal opportunities form from the registration form and the data is saved in Microsoft Excel. The physical form is then confidentially destroyed.

Our legal basis for processing your data

We will process your data as described above using legitimate interest as a legal basis. We have completed and documented a balancing test which weighs your rights as a data subject against our interests; below.

Nature of our Legitimate Interest

The charitable aim of the organisation is to find pro bono legal assistance from volunteer barristers and others (panel members) throughout England and Wales.

Panel members:

- As data controller we process panel member personal data when a person registers as an Advocate panel member with the objective of enabling the panel member to undertake pro bono legal work. Panel members include barristers, solicitors, and legal executives taking on pro bono legal work.
- To enable the panel member to do pro bono legal work requires matching personal details about each panel member (e.g. professional specialisms, physical location, level of expertise and languages spoken) to available pro bono cases. Contact details are processed to enable us to share cases with panel members so that they can choose to carry out pro bono legal work on a case. Once pro bono work has been accepted by the panel member, their contact details are shared with the relevant applicant, referral agency and sometimes with the case reviewer and other types of legal volunteer, to enable the panel member to give appropriate pro bono legal assistance to the applicant.

Reviewers:

- Reviewers assess applications that arrive at Advocate. Reviewers include barristers and solicitors. They are responsible for determining whether an application is eligible for assistance from a panel member who can carry out pro bono legal work on the case.
- As data controller, Advocate processes the reviewer's personal data when they first register with us. The personal data we process is used to assess their suitability for the role, schedule their training and send them applications to consider. We also use their data to invite them to meetings that focus on the reviewing process. Their contact details are shared with the panel member who carries out the legal work and any other type of legal volunteer who assists on the case, to assist the panel member or legal volunteer to give appropriate pro bono legal assistance to the applicant.

Advocate also wishes to analyse the effectiveness of its volunteer programme, and whether it is meeting the needs of those who apply for help as well as positively engaging the volunteers so that they continue to offer pro bono legal assistance.

Advocate is interested in sharing stories about volunteering, information about events and fundraising appeals that Advocate is holding and updates or news from Advocate with legal volunteers. The purpose of this is to positively engage them with Advocate; to encourage them to continue volunteering, to recommend volunteering to peers and possibly to financially support Advocate.

How long we keep your data

- We will securely store information about your contact details and professional experience at Advocate's office or on our electronic system.
- Such information will be stored on our case management system, Salesforce, in perpetuity so that the link between you and the cases you have reviewed or worked on can be maintained.
- Each physical case record is kept for seven years because our experience tells us that applicants might come back and request more assistance, or raise a query as regards the case, in the future. After that they will be destroyed by our archiving provider, Access Records, safely and securely.
- Once any case you have worked on is closed, case papers will be sent back to the applicant or shredded using a confidential waste system.

Data subject rights

At any time you can also contact us to:

- Request that we stop holding or processing your personal data;
- Correct or update the personal data we hold about you;
- Request that we erase your personal data;
- Restrict or stop the way we use your data (including by objecting to our processing based on our legitimate interest and by withdrawing your consent);
- Request access to the personal data we hold about you, and for us to provide that to you in an easily accessible format, either for your own use or to transfer to another organisation of your choosing;
- You also always have the right to opt out of marketing and fundraising communications.

Please contact us if you would like to exercise any of these rights. You can contact us in the following ways:

- by contacting our Data Protection Officer at dataprotection@weareadvocate.org.uk
- by writing to us at:
ACTION for Data Protection Officer
Advocate
2nd Floor Lincoln House,
296-302 High Holborn,
London, WC1V 7JH

Complaints

If you are unhappy about how your data has been processed please contact us first using dataprotection@weareadvocate.org.uk so that we can try to resolve your concerns.

You can also raise a concern with the Information Commissioner's Office via their helpline 0303 123 1113 or online at www.ico.org.uk/concerns.