

Privacy Notice for Applicants

You are sending your personal and sensitive information (data) to Advocate for the purposes of applying to us for legal help from a volunteer barrister. 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 information will be used. If a volunteer barrister agrees to help with your legal case, they become the main Data Controller. This means they are responsible for deciding how to process your data in order to be able to provide you with the legal assistance that they have been authorised to carry out.

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 personal information that identifies you, such as your name and contact information as well as sensitive information about your legal problem, your personal or company finances and your health/racial/political/religious/sexual information if you share such details with us. As your case progresses, we will add further information to your case record such as a volunteer barrister’s assessment of your eligibility for our help and a volunteer barrister’s record of how they have helped you.

“Case papers” means any documentation about your legal problem which you or your representatives send 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.

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

- Your case record and papers may be processed at any time before your case is closed by Advocate staff members, office & casework volunteers and Advocate trustees.
- Your contact details and information may be processed at any time after you apply to Advocate by Advocate staff members, casework & office volunteers, referral agencies who have helped you submit an application to Advocate, Advocate legal volunteers who either assess your case for eligibility or have offered to help you, and Advocate trustees. This is for the purpose of phone calls, emails or letter sending (via Outlook, Salesforce, Royal Mail or DX) about your case.
- We will put your contact details and case information onto our online case management

system, Salesforce, so that we can contact you and process your case. If we receive electronic case papers from you or your representative by email these are uploaded to Salesforce, stored in Outlook and in Advocate’s computer folders.

- Your case record and case papers will be shared with volunteer barristers who are assessing the eligibility of your case, or are considering helping with your case, via email, post or a similar system such as Document Exchange (<https://www.dxdelivery.com/corporate/your-industry/legal/>). Volunteer barristers may involve their clerk in the administration of this work. We confirm that they have reasonable safeguarding measures in place to protect your data while they are assessing your case for eligibility. When volunteer barristers are considering helping with your case, they are a data controller, and have agreed to take responsibility for the security of your data.
- If we cannot find a volunteer barrister, or a volunteer barrister has decided that you need help from a different kind of lawyer (not a barrister), we may share your case record and case papers with administrators of various legal volunteering schemes to try to find help for you. If a different kind of lawyer is able to offer legal help, and will therefore be responsible for your data security from then forwards, we will contact you to let you know about this change.
- Other people who may see your data include technical individuals and organisations who manage Advocate’s systems. Anyone who helps Advocate in this way will always have been asked to sign a confidentiality agreement to confirm they will treat anything they see as confidential, and will not share information further.
- 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, the Volunteer & Administration Coordinator separates the equal opportunities form from the case record and case papers and the data is saved in Microsoft Excel. The physical form is then confidentially destroyed.

Our legal basis for processing your data

We will ask for your consent to process your data in the manner described above. You can withdraw this consent at any time by writing to us at

consent@weareadvocate.org.uk.

How long we keep your data

Your physical data

- We will securely store your physical case record and case papers at Advocate's office while your case is open.
- Once your case is closed:
 - o Your physical case papers will either be sent back to you or shredded using a confidential waste system.
 - o Your physical case record will be kept for seven years because our experience tells us that applicants might come back and request more assistance in the future, and it is more efficient to keep a case record for this period of time so to avoid delays if an applicant requests more help with their case. After that, the physical case record will be destroyed by our archiving provider, Access Records safely and securely.

Your electronic data

- We will securely store your electronic case record and case papers on Advocate's systems at Advocate's office while your case is open.
- Once your case is closed:
 - o Your electronic case papers will immediately be deleted from the electronic version of this stored on our case management system - Salesforce. Your electronic case papers that were received by email will not be deleted from our emailing system immediately.
 - o Your electronic case record will be kept for seven years for monitoring and evaluation purposes and because our experience tells us that applicants might come back and request more assistance in the future. After that, emails that relate to the case (along with case papers that were received by email) will be deleted from outlook. The electronic case record on Salesforce will be kept in perpetuity for the purposes of monitoring and evaluation. All attachments will be deleted from the Salesforce case record as the relevant information will be stored on the Salesforce record itself.

Data subject rights

At any time you can also contact us to:

- Request that we stop holding or processing your personal data;
- Withdraw consent for our processing of 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.