**Birnberg Peirce Ltd**

**Privacy Notice**

Birnberg Peirce Ltd (“Birnberg Peirce) will use the personal data obtained from you for the purpose of providing legal advice and representing you in legal proceedings pursuant to the retainer you have with Birnberg Peirce. The terms of the retainer are contained in our client care letter. This purpose is referred to as the “performance of contact”, which is a lawful reason for obtaining and processing your data.

Marcia Willis-Stewart is Data Controller at Birnberg Peirce and can be contacted at 14 Inverness Street, London NW1 7HJ and by telephone on 020 7911 0166.

You hereby confirm that you are consenting to Birnberg Peirce use of your personal data for the aforementioned purposes.

**What is Personal Data**

The EU’s General Data Protection Regulation (“GDPR”) defines “personal data” as

“*any information relating to an identified or identifiable natural person (‘data subject’), an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person*”.

**What is Sensitive Personal Data**

The GDPR classifies certain data, referred to as sensitive date, as belonging to “special categories”, as follows:

* Racial origin;
* Ethnic origin
* Political opinions;
* Religious beliefs;
* Membership to a trade-union;
* Genetic data;
* Biometric data;
* Health data;
* Data concerning a natural person’s sex life;
* Sexual orientation; and
* Other

We are unable to process sensitive data unless it is for a prescribed legal purpose. The purpose is likely to be for the establishment, exercise or defence or legal claims or whenever courts are acting in their judicial capacity. We are likely to process data which falls into one of these special categories in order to fulfil the said purposes.

**Why does Birnberg Peirce need to collect and store personal data?**

Birnberg Peirce is committed to ensuring that all personal data collected and processed is appropriate for the stated purposes and shall not constitute an invasion of your privacy. We may share your personal data with third parties who are able to assist us with providing legal advice and representing you. We are likely to need to share your personal data with the opponent to your legal proceedings in furtherance of our contracted services.

The third parties will be contracted by us and we shall ensure that they will hold your personal data securely and shall use it only in order to fulfil the service for which they are contracted. When there is no longer a service need, or the contract comes to an end, we will use our best endeavours to ensure that the third party will dispose of all personal data according to our procedures. We will never share your personal data with third parties until we have received your consent, unless we are required to do so by law.

**How Birnberg Peirce uses your information**

Birnberg Peirce will process your data (i.e. collect, store and use) according to the requirements of the GDPR at all times and shall endeavour to keep your personal data up to date, ensuring its accuracy and will not keep it for longer than it is required. We are required to retain your personal data for 6 years after the conclusion of your matter and the end of your retainer with Birnberg Peirce.

We shall never be intrusive or invasive of your personal privacy and shall not ask you to provide data that is irrelevant or unnecessary and we will enact measures and processes to ensure that the risk of unauthorised access or disclosure of your personal data is minimised as much as possible.

**Right to Request Access to Data**

You have the right to request access to and copies of your personal data that we hold. You have a right to inform us if the personal data is incorrect and requires rectifying, to erase the data and to request a restriction of processing of the data.

**Right to Withdraw Consent**

Although the legal reason for obtaining and processing your data is the performance of the contract between yourself and Birnberg Peirce, you have a right to inform us if you do not consent to us continuing to hold your personal data for this purpose. If you do this we are unlikely to be able to continue to represent you. We may still be required after any consent has been withdrawn to retain some or all of the data held about you for regulatory or statutory purposes. We will retain no more than is required for those purposes.

**Right to Complain**

You have a right to complain to the Information Commissioners Office about how we obtain, control and process your personal data. The ICO’s contact details are:

Information Commissioner’s Office

Wycliffe House

Water Lane

Wilmslow SK9 5AF

0303 123 1113

Casework@ico.org.uk