



Lux Mediation

Data Protection Privacy Notice

Introduction

Mr Jonathan Lux a self-employed, public access accredited, barrister and is registered as a Data Controller with the Information Commissioner's Office ('ICO') and his registration number is: ZA084920.

This notice explains how the commitment to protecting client's information and privacy is achieved with the data that is used, processed and collected when delivering legal services.

This policy addresses information and data provided for the following reasons:

- When consulting in connection with the provision of legal services;
- Otherwise as a result of communications with you, a client or multiple clients; and
- Then subscribing to email updates or other marketing activities.

It sets out how personal information or data is processed, with whom it may be shared and choices you can make regarding use of the information collected.

Within this policy are the measures which have been taken to protect security information and how to make contact about these privacy practices, should you have any questions. Please read this Notice carefully to understand the views and practices about why personal information is collected, what is done with it and how it is used.

This Notice does not apply to personal information of staff in connection with employment, which will be dealt with by an internal staff privacy notice if applicable.

Changes/updates

This notice may change from time to time. Please review it periodically. Further information about data privacy may be found in the Terms of Engagement sent to all clients at the outset of their contract.

The last update was **February 2021**.

Status

Jonathan Lux is authorised and regulated by the Bar Standards Board ('BSB') as a self-employed barrister. Personal information is processed in accordance with data protection legislation and in line with obligations imposed under the BSB Code of Conduct as amended from time to time.

For Data Protection Act 2018 notification purposes Jonathan Lux is registered as a data controller with the Information Commissioners Office ('ICO'), with the registration number ZA084920.



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Jonathan Lux deals with data protection matters and he can be contacted by calling 07876 232 305 or writing to him at mediation@lux-mediation.com

Your personal information

Personal information is collected, retained and processed to enable accurate legal advice to be provided, to conduct legal proceedings and to provide legal and related business services.

Personal information may be collected in a variety of ways, including:

- In hard copy by fax or post, in person, or over the telephone;
- Via phone recording in connection with services;
- During the course of the dealings with you or on behalf of a client;
- When you input details into the website by filling in a form to register for newsletters, email updates, competitions, seminars, events, or other services;
- When you get in contact with queries a record of that correspondence may be kept;
- When completing surveys for research or quality purposes, although you do not have to respond to them;
- From other third parties, for example from agents, insurance companies, other clients or their representatives or other legal service providers;
- Online via the website or social media accounts such as Twitter, Facebook, LinkedIn and Instagram;
- When publicly available information about you or your business are collected, including through electronic data sources, for example in connection with due diligence, anti-money laundering and credit risk reduction; or
- For placement, recruitment and selection purposes.

The collection of personal information

The type of information collected depends upon the relationship with you and the context in which the personal data has been obtained and processed.

Information collected and processed may include details of the following types of information:

- Contact information (names, postal address, email address, telephone and fax numbers and preferred gender identity);
- Occupational information, (job title, former job titles, organisational associations, professional experience and qualifications, interests and preferences in order to provide you with relevant tailored information about such services);
- Identification documents, including date of birth and photographic identification;
- Services in respect of which you have expressed an interest;
- Other information collected and used in the course of business, including information provided by clients concerning employees of clients or those providing services to clients; or
- Where necessary and legally permitted, sensitive data may also be collected, such as diversity and health data and/or details of offences and related proceedings.

The uses of personal data



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Information provided can be used for the following reasons:

- To contact by email, fax, post or phone where you have provided contact details. A record may also be kept of that correspondence;
- To carry out any obligations arising from contracts entered into;
- To notify you about changes to services;
- To improve products and services;
- To maintain internal records, including about terminated contracts;
- To ensure good governance, accounting, management and auditing;
- To refer you to another legal service which may be of benefit to you;
- To provide you with information, products or services which you request;
- To send you information, or newsletters and legal updates which you may find of interest where you have indicated you wish to be contacted for such purposes;
- To pass your details to experts, including medical experts and other professionals for the purposes of obtaining professional advice and complying with any contractual obligations;
- To contact you in the course of providing services to clients;
- To assist with a recruitment and selection process;
- To convert into anonymised, statistical or aggregated data which can't be used to identify you but may be used for the purposes of statistics, research reporting and future planning;
- Where there are other legitimate reasons, such as to enforce terms of use, or take other action required or permitted by law or for other safety and security reasons;
- To respond to complaints; or
- To ensure content from the website is presented in the most effective manner.

Sharing your information with others

In providing legal services, your personal information may be provided to staff or other third parties, such as:

- To other suppliers, such as expert witnesses, barristers, or other external agencies that have been engaged on your behalf. In this instance, they are required to act in accordance with your instructions and keep your personal information secure with an adequate level of protection;
- To courts, tribunals and other government bodies and relevant regulators (the BSB and the ICO) in connection with matters relating to provision of legal services services;
- To professional indemnity insurers, brokers, auditors and other professional advisers;
- To clients in connection with the provision of any services;
- To auditors in connection with maintenance of any quality certifications;
- To other third parties when required by law or other regulatory authority, when there is a duty to do so to comply with legal or professional obligations (for example to comply with anti-money laundering obligations and counter terrorism measures);
- To enforce or protect rights, property or the safety of staff and other clients (this includes exchanging information with other companies and organisations for the purposes of fraud prevention and detection and credit risk reduction);



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- To other parties in legal proceedings, including solicitors and barristers acting on the other side of a case or transaction; or
- To financial institutions providing finance for transactions.

The basis on which your information is processed

The legal grounds for processing your personal data depend upon the nature of the relationship with you and the context of processing. These are as follows:

- Processing is necessary for the performance of a contract with you, or to take steps prior to entering into a contract with you. The client contract is comprised of the client engagement letter and Terms of Engagement along with any funding agreements which you enter into such as a Conditional Fee Agreement; these documents set out the terms of the contract and the services to be provided to you.
- Processing is necessary for the purposes of the legitimate interests or those of clients in the provision of legal services and use in legal proceedings, except where those interests are overridden by the interests, rights or freedoms of affected individuals. In order to determine this, a number of factors will be weighed up, including what you were told at the time you provided your data, what your reasonable expectations are, and the nature of the data as well as its impact upon you.
- Processing is necessary for compliance with mandatory legal obligations.

How long your personal information is kept

Your information is only retained for as long as is necessary for the purpose for which it was obtained. This could include compliance with legal obligations (by way of example, in relation to anti money laundering regulations where information has to be kept for minimum periods). It could also include conducting legal work as instructed or establishing or defending claims which could be made, for example for negligence in the performance of any obligations.

Information collected from you concerning other people

Where you provide personal information about other people, it is accepted on the understanding that you have made the other person aware about how this information will be used and disclosed.

Children

It is unlikely that we will hold personal data relating to children. In such cases, they will be represented by parents or legal guardians. If any matters involve children, it will be explained why their personal data is needed and how it will be used.

Where will your personal information be processed

There may be rare occasions where your personal information needs to be transferred outside of the UK to countries which do not provide the same level of data protections as in the UK. For example, in relation to legal claims or transactions with an international element, or where overseas agents need to be instructed to assist in performing legal services. In these



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circumstances, steps will be taken to ensure that your personal information is adequately protected.

IP addresses and cookies

Some information about website users is collected automatically and may be used to review and analyse how the website is used.

Information may be collected about your computer, including where available your operating system and browser type, for system administration and to report aggregate information. This is statistical data about users' browsing actions and patterns and does not identify any individual. This includes IP addresses, which all reporting systems anonymise.

Information obtained by using a cookie file may also be used and stored on the hard drive of your computer. Cookies contain information that is transferred to your computer's hard drive. They are widely used to make sites work efficiently. They help to improve the website and deliver a better and more personalised service. They allow:

- Estimates of audience size and use patterns;
- Storage of information about your preferences and allow customisation on the website;
- Searches to be sped up; and
- The website to recognise you when you return.

You may refuse to accept cookies by activating the setting on your browser which allows you to refuse cookies. However, if you select this setting you may be unable to access certain parts of the website. Unless you have adjusted your browser setting so that it will refuse cookies, the system will issue cookies when you log on to the website.

Cookies used

Session cookies:

These are cookies which are only on your computer for one visit. Once you close your browser, they are deleted. They're used to do things like remember that you've logged into a site.

Tracking cookies:

Analytics are implemented on the website. This uses tracking cookies. These are also session cookies. They do not collect any personal data and help us collect information in an anonymous form.

Most web browsers allow some control of most cookies through browser settings. You can find out more about cookies and how to manage or delete them by visiting: www.aboutcookies.org.uk

Links to other websites



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Links may be included on the website to enable you to access third party sites directly. If you follow any links, this privacy notice will not apply. Third party sites operate their own privacy policies regarding processing of personal information and the use of cookies. Please check these policies before you submit any personal data to these external sites. No responsibility is accepted for third-party websites or their use of your information or their use of cookies.

Your right to access to your information

You have the right to request details of personal information which is being held about you.

If you would like a copy of your personal information, please write to: mediation@lux-mediation.com.

Your other rights

You also have the right to ensure that the information held about you is correct or complete. If you think any information is incorrect, incomplete or needs updating please get in touch. Any information will be updated as soon as possible.

You may also in certain circumstances:

- Request that personal data held is erased;
- The personal data is restricted in its processing;
- Where your personal data is processed by automated means, you can ask the data to be transmitted to another data controller. If you request this, you will be informed whether this is possible, taking into account compatibility of systems of the other data controller to whom you wish the transfer to be made;
- Object to processing. If you raise such objection the processing of your data must stop unless it can be demonstrated that there is an overriding legitimate business interest or that such processing is necessary in relation to legal proceedings. If you still wish the processing to stop, then this will have an impact upon any contract you have in place and you will be advised of what the consequences are to you so that you can make an informed decision.
- To have a decision taken by a human (decisions are unlikely to be taken which have a legal or similarly significant effect on you by automated means).
- Have a right to be notified of a personal data breach if it results in a high risk to your rights and freedoms.
- Have the right to withdraw your consent if you have given your consent to processing of any of your personal data (please note that if you withdraw your consent, this will not affect the validity of any processing carried out prior to withdrawal).

These requests are free of charge.

Depending on the nature and extent of your request, the contractual relationship with you may end. In this event, you will remain liable for any outstanding fees and disbursements incurred before the request was made.



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The contact information in connection with the exercise of these rights or other privacy issues is set out below.

If you consider a breach of any obligations in respect of your personal data has occurred, you may raise your concerns. Alternatively, you can complain to the Information Commissioners Office. Further details can be found at <https://ico.org.uk/>. However, they will usually say that you should give the data controller the opportunity to deal with your concerns in the first instance.

Security and storage

All information you provide in electronic format is stored on secure servers within the United Kingdom.

The internet is a global environment. It can involve transmission of data on an international basis. Transmission of information via the internet or any social media is not completely secure. By using the website and communicating with electronically, you acknowledge and accept the processing of your personal information in this way.

Although appropriate technical and organisational measures are adopted to protect your personal information, it cannot be guaranteed that it is secured when sent to the website and transmission is at your own risk.

Once your information is received, either in electronic or physical form, all reasonable steps necessary to prevent unauthorised access is taken and it is ensured that your information is handled securely and in accordance with this privacy notice. Suitable electronic, physical and managerial procedures have been put in place to protect and secure the information collected.

Contact

If you have any queries or requests regarding this notice, or the procedures concerning your personal data, please contact Jonathan Lux by email at mediation@lux-mediation.com or by calling 07876 232305.

Reasonable steps will be taken to resolve or answer concerns as soon as possible and normally within 30 days.

Kindly note that queries about legal claims/legal matters should be directed to the person with conduct of your case as identified in the correspondence with you.