

# LEGAL WALES FOUNDATION - CYMRU'R GYFRAITH

## PRIVACY NOTICE

### INTRODUCTION

Welcome to the **LEGAL WALES FOUNDATION/CYMRU GYFRAITH's** privacy notice. In this privacy notice, Legal Wales is also referred to as “we”, “us” and “our”.

This privacy notice is provided in a layered format so that you can click through to the specific areas set out below. Please also use the Glossary at the end of this document to help you understand the meaning of some of the terms used in this privacy notice.

### CONTENTS

- 1. ABOUT US AND THIS DOCUMENT**
- 2. OUR DATA PRIVACY MANAGER AND CONTACT DETAILS**
- 3. THE PERSONAL DATA WE COLLECT ABOUT YOU**
- 4. HOW IS YOUR PERSONAL DATA COLLECTED?**
- 5. HOW WE USE YOUR PERSONAL DATA**
- 6. DISCLOSURES OF YOUR PERSONAL DATA**
- 7. INTERNATIONAL TRANSFERS**
- 8. DATA SECURITY**
- 9. DATA RETENTION**
- 10. YOUR LEGAL RIGHTS**
- 11. GLOSSARY**

#### **1. About us and this document**

The Legal Wales Foundation (“Legal Wales”) is an unincorporated body which was established to provide a forum for the discussion and formulation of views and proposals for action in relation to issues affecting the administration of justice, the teaching and researching of law and the provision of legal services, as they affect Wales.

One of our main functions is to organise an annual legal conference, with particular reference matters relating to Wales.

In carrying out our functions and aims, Legal Wales collects and uses a variety of personal data. The purpose of this privacy notice is to provide privacy information to the individuals whose personal data we collect and use (including information about legal rights and protections). In this privacy notice, we refer to the individuals whose personal data we process as “you” or “your”.

We will keep this privacy notice under regular review and if we make any significant changes to it, we will tell you about them.

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 the course of your relationship with us.

Please note that our website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share

personal data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy notice of every website you visit.

## **2. Individuals at whom this privacy notice is directed**

This privacy notice is directed at the following individuals:

- People who use Legal Wales' website;
- People who book a place at our annual conference or any other event we run or who ask to be kept informed about our annual conference and/or other events;
- People who speak at or are involved in the running and administration of our annual conference or any other event we run;
- People who contact us with enquiries or to make a complaint;
- People who arrange membership of Legal Wales on behalf of their employer or other organisations;
- People who are involved with Legal Wales as a result of their connection with the bodies we represent (including Law Schools, the Judiciary, barristers' chambers and solicitors' practices);
- Individuals who provide services to Legal Wales or staff who work for service providers.

It is important that you read this privacy notice, together with any supplemental privacy notice or fair processing policy we may provide to you in relation to specific processing activities from time to time, so that you are fully aware of how and why we are using your personal data.

Some of the general information contained in this privacy notice is also applicable to schemes we run in Wales on behalf of LEDLET namely:

- Summer Scheme;
- The Alumni Programme; and
- The Mentoring Programme.

However, students, parents, guardians and/or teachers who make or are involved in making applications for any of the above should also refer to the additional privacy information contained in our Student Programmes Privacy Notice.

## **3. Our data protection manager and contact details**

If we collect and use your personal data, Legal Wales will be the controller under data protection law and responsible for your personal data.

Legal Wales has appointed a data privacy manager who oversees our data protection compliance. If you have any questions about this privacy notice, wish to make any requests to exercise your legal rights under data protection law or want to know more about Legal Wales' privacy practices, please contact our data privacy manager using the contact details set out below:

Data Privacy Manager: Fran Edwards, Secretary, Legal Wales

Email address: [fran@caswelljones.com](mailto:fran@caswelljones.com)

Postal address: Caswell Jones Solicitors, 18 Cardiff Road, Caerphilly, CF83 1JN

Telephone number: 029 2086 4888

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](http://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.

#### 4. The personal data we collect about you

Under data protection law, "personal data" means any information about a living individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

The personal data we collect falls into the following categories:

Identity Data	Such as first name, last name, username or similar identifier, marital status, title, date of birth and gender.
Contact Data	Address, email address and telephone numbers.
Transaction Data	Details about payments we make to you or you make to us.
Technical Data	Internet protocol (IP) address, 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 Legal Wales' website.
Background Data	A person's qualifications, work experience, career history and similar information.
Usage Data	Information about how you use our website.
Marketing and Communications Data	A person's marketing preferences and information relating to how an individual wishes to be contacted for marketing purposes.  Data from any surveys or questionnaires completed by an individual, including attendees of our annual conference or other events.
Special Category Data	Information about any special dietary requirements you may have or special arrangements you need us to make to enable you to fully access our annual conference or other events. Such information may include details about disabilities or your state of health.

We also collect, use and share aggregated data ("Aggregated Data"), such as statistical or demographic data. Aggregated Data could be derived from your personal data but is not considered

personal data in law (as this data will not directly or indirectly reveal your identity). 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.

The categories of personal data we will collect about you will depend on how and why we are interacting with you. Below we list what personal data we will collect and use about you in different scenarios:

<b>Scenario</b>	<b>Personal Data Used</b>
If you use the Legal Wales website	Technical Data Usage Data Aggregated Data
If you book a place at or attend our annual conference or any other event we run	Identity Data Contact Data Marketing and Communications Data Special Category Data
If you agree to speak at or are otherwise involved in our annual conference or any other event we run	Identity Data Contact Data Background Data Special Category Data Transaction Data
If you contact us with an enquiry or to make a complaint	Identity Data Contact Data
If you contact us to arrange membership of Legal Wales, whether on your own behalf or on behalf of your employer or any other organisation	Identity Data Contact Data
If you need to interact with us because you act on behalf or are an employee of one of the bodies we represent or have a relationship with (for example Law Schools, the Judiciary, barristers' chambers and solicitors' practices)	Identity Data Contact Data Background Data
If you provide services to Legal Wales or work for a service provider	Identity Data Contact Data Transaction Data
If you ask to be kept informed about our annual conference or other	Identity Data

events we run or you subscribe to any publications we produce from time to time.	Contact Data Marketing and Communications Data
----------------------------------------------------------------------------------	---------------------------------------------------

## 5. How is your personal data collected?

Generally, we will collect your personal data through direct interactions we have with you, whether in person, over the telephone, by email or by letter.

Sometimes, we will collect your personal data as a result of our use of automated technologies. For example, as you interact with our website, we will automatically collect technical data about your equipment, browsing actions and patterns. We collect this personal data by using cookies. Please see our cookie policy for further details. We may also obtain Technical Data about you from analytics providers, such as Google.

In addition, we receive personal data from third party service providers we use to process bookings for our annual conference and/or other events, for example Eventbrite.

Sometimes, we may also obtain your personal data from publicly available sources (such as University websites or the websites of other organisations).

## 6. How we use your personal data

Data protection law only permits us to collect and use your personal data for the specific purposes we have told you about. Also, we must have a lawful basis to carry out the processing in question. Further information about the lawful bases available under data protection law is set out in the *Glossary*.

Mainly the lawful bases we will seek to rely upon are:

- Necessary for the performance of a contract;
- Your consent; and
- Our legitimate interests.

Below, we set out a table detailing the various ways we will use your personal data and the lawful bases we rely upon to do so. Where relevant, we also specify what our legitimate interests are.

As you will see from the table, sometimes we may rely on more than one lawful basis to process your personal data. Where this is the case, please contact us if you would like more information about the particular lawful basis that applies to specific processing activities.

Please note that where we rely on your consent to process your personal data, you have the right to withdraw your consent at any time by contacting us.

Nature of our interaction	What we use the personal data for	Lawful basis for processing, including basis of legitimate interest
The personal data we obtain from your use of the Legal Wales website	To administer and improve our website	<ul style="list-style-type: none"> <li>• Necessary for our legitimate interests (so that we can ensure our website works efficiently and is user friendly)</li> </ul>

<p>The personal data we obtain from you when you book a place at or attend our annual conference or any other event we run</p>	<p>To receive payments and to make the necessary arrangements for you to attend the event. Also, if you ask to be kept informed about future events, to add you to our mailing list</p>	<ul style="list-style-type: none"> <li>• Necessary for the performance of our contract with you;</li> <li>• Necessary for our legitimate interests (so that we can organise and administer conferences and other events)</li> <li>• Your consent (if you ask to be kept informed about future events)</li> <li>• Your explicit consent (where we need to process any Special Category Data to take account of your access requirements, special dietary needs or similar)</li> </ul>
<p>The personal data we obtain from you if you agree to speak at or are otherwise involved in our annual conference or any other event, we run</p>	<p>To make the necessary administrative (including access and dietary) arrangements</p> <p>If you are speaking at a conference or other event, to publicise your involvement and the details of your presentation. Also, to include details of your involvement on our website</p>	<ul style="list-style-type: none"> <li>• Necessary for our legitimate interests (to allow us to arrange and publicise the event)</li> <li>• Necessary for our legitimate interests (so that we can include relevant information on our website)</li> <li>• Your explicit consent (where we need to process any Special Category Data to take account of your access requirements or special dietary needs)</li> </ul>
<p>The personal data we obtain from you if you contact us with an enquiry or to make a complaint</p>	<p>To deal with your enquiry or complaint</p>	<ul style="list-style-type: none"> <li>• Necessary for our legitimate interests (so that we can respond to your enquiry and/or deal with your complaint)</li> </ul>
<p>The personal data we obtain from you if you contact us to arrange membership of Legal Wales, whether on your own behalf or on behalf of your employer or any other organisation</p>	<p>So that we can contact you about the membership application and renewals</p>	<ul style="list-style-type: none"> <li>• Necessary for our legitimate interests (so that we can arrange membership and, where relevant, have a point of contact at the relevant organisation)</li> </ul>
<p>The personal data we obtain from you in the course of our interactions with you in your role as a representative for or employee of one of the bodies we represent or have a relationship with (for example Law Schools,</p>	<p>To facilitate our relationship with the relevant body and collaborate on projects and events</p>	<ul style="list-style-type: none"> <li>• Necessary for our legitimate interests (so that we can work with you in connection with the relevant project)</li> </ul>

the Judiciary, barristers' chambers and solicitors' practices)		
The personal data we obtain from you in the context of you or your employer providing services to Legal Wales or for a service provider	To enable us to contact the service provider and receive the relevant services	<ul style="list-style-type: none"> <li>• Necessary for the performance of a contract</li> <li>• Necessary for our legitimate interests (so that, where the service provider is a corporate body, we have a point of contact at the relevant organisation)</li> </ul>
The personal data we receive from you if you ask to be kept informed about our annual conference or other events or if you subscribe to any of our publications	To enable us to contact you to provide you with the relevant information	<ul style="list-style-type: none"> <li>• Your consent</li> </ul>

We may also need to process your personal data from time to time to comply with laws or regulatory requirements which we are subject to.

### Failure to provide personal data

Where we need to collect personal data by law, or under the terms of a contract we have with you, and you fail to provide that data when requested, we may not be able to perform the contract or comply with our legal obligations. In the case of a contract, this may mean we are unable to process a booking for attendance at a conference or other event.

### Change of purpose

We will only use your personal data for the particular 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 receive an explanation as to how processing for any new purpose is compatible with the original purpose, please contact our data privacy manager.

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 the above rules, where this is required or permitted by law.

## 7. Disclosures of your personal data

We may share your personal data with the parties set out below for the purposes set out in the table included in the Section [*How we use your personal data*]

- External Third Parties as set out in the *Glossary* and
- Eventbrite or other similar organisations used by us to facilitate bookings and payments for our annual conference or other events.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

## 8. International transfers

We will not routinely transfer personal data outside the European Economic Area (EEA).

If you agree to speak at our annual conference or any other event and you live outside the EEA, we will need to transfer your personal data outside the EEA so that we can correspond with you. In this situation, we will seek to rely on one of the derogations applicable under data protection law in relation to non-repetitive transfers of personal data.

## 9. Data retention

Generally, we will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including to enable us to comply with any legal or regulatory obligations.

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, regulatory or other requirements.

We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you. We will also retain some personal data for archiving purposes in the public interest.

Further details of our approach to data retention can be found in our Retention Policy.

In some circumstances you can ask us to delete your data (see *Your legal rights* below for further information).

## 10. Your legal rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data. Please click on the links below to find out more about these rights:

- [\[Request access to your personal data\]](#).
- [\[Request correction of your personal data\]](#).
- [\[Request erasure of your personal data\]](#).
- [\[Object to processing of your personal data\]](#).
- [\[Request restriction of processing your personal data\]](#).
- [\[Request transfer of your personal data\]](#).
- [\[Right to withdraw consent\]](#).

If you wish to exercise any of the rights set out above, please contact us.

### No fee

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 could refuse to comply with your request in these circumstances.

### Confirming your identity

If you exercise any of the rights set out above, we may need to request specific information from you to help us confirm your identity. 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**

We are required respond to all legitimate requests within one month. Occasionally it could 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 of any delays and keep you updated.

## **11. Other organisations**

From time to time, we may include on our website details of other organisations that may be of interest to you (for example, Public Law Wales). Unless otherwise stated, such organisations are independent bodies and not part of Legal Wales. If you choose to contact such organisations, your personal data will be processed in accordance with the relevant organisation's own privacy notice.

## **12. Glossary**

### **The lawful bases for processing**

Under UK data protection law, it is only lawful to process an individual's personal data if the processing satisfies one of the lawful bases for processing set out in legislation.

The legal bases available are that:

- The individual has given his or her consent to the processing of the relevant personal data for specific purposes;
- The processing is necessary for the performance of a contract that the individual has entered into or in order to take steps at the individual's request prior to entering into a contract;
- The processing is necessary for compliance with a legal (e.g. statutory) obligation that the controller is subject to;
- The processing is necessary to protect the vital interests of an individual or another person;
- The processing is necessary to enable the controller to carry out a task in the public interest or to exercise official authority;
- The processing is necessary for the purposes of legitimate interests pursued by the controller or a third party, except where such interests are overridden by the interests or rights or the individual. In the context of Legal Wales, our legitimate interests include meeting our aims and objectives and in particular, arranging our annual conference and other events. 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.

### **External third parties**

References in this privacy notice to "External Third Parties" means:

- Any service providers used by Legal Wales from time to time, for example, businesses who provide IT services to us;
- Any bodies or organisations we use to provide a venue for our annual conference or other event, such as Universities in Wales;
- Professional advisers who provide consultancy, banking, legal, insurance and accounting services to Legal Wales;
- HM Revenue & Customs, regulators and other authorities in the United Kingdom who require reporting of processing activities in certain circumstances.

## Your legal rights

Under data protection law, you have a number of different 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:
  - If you want us to establish the data's accuracy.
  - Where our use of the data is unlawful but you do not want us to erase it.
  - 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.
  - 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 services to you, for example, we will be unable to notify you of events we are running. We will advise you if this is the case at the time you withdraw your consent.

# Legal Wales Data Retention Policy

## CONTENTS

---

### CLAUSE

1. ABOUT THIS POLICY	1
2. GOVERNANCE RECORDS	1
3. IT RECORDS	1
4. CONTACT RECORDS	2
5. LEGAL RECORDS	4

## 1. ABOUT THIS POLICY

- 1.1 Legal Wales establishes retention or destruction schedules or procedures for specific categories of data. This is done to ensure legal compliance (for example, with our data protection obligations) and accomplish other objectives, such as good governance of a not-for-profit organisation.
- 1.2 Officers of Legal Wales will comply with the retention periods listed in the record retention schedule below.
- 1.3 This is version 1 dated January 2021.

## 2. GOVERNANCE RECORDS

TYPE OF DATA	RETENTION PERIOD	REASON	COMMENTS
Accounting records.	10 years (unless classified as Historical records)	Good practice for not-for-profit organisations.	
Details of Members of the Legal Wales Board and Executive Committee.	10 years after stepping down (unless classified as Historical Records)	Governance good practice	
Minutes of the Legal Wales Board and Executive Meetings.	10 years (unless classified as Historical records)	Good practice for an organisation with Legal Wales' objects	

## 3. IT RECORDS

TYPE OF DATA	RETENTION PERIOD	REASON	COMMENTS
--------------	------------------	--------	----------

General information about externally developed IT infrastructure, software and systems for internal or external use.	7 years from decommissioning of system.	Contractual obligation Limitation period	See Procurement section
Contracts and agreements (software licences, support agreements, hardware agreements etc.).	7 years from expiry of the agreement	Limitation period	See Procurement section.

#### 4. CONTACT RECORDS

TYPE OF DATA	RETENTION PERIOD	REASON	COMMENTS
Contact database, lists of persons who have asked to be informed of Legal Wales News and Events or who have participated in events.	3 years from last contact.	Business Need	Period considered sufficient to establish continuing interest in Legal Wales activities.
Details of learners and students under the age of 18 taking part in programmes and events aimed at future lawyers and tertiary students of law.	1 year from the end of the programme attended.	Business need and to enable handling of feedback and complaints.	Period considered sufficient for reasons given. Participants who have reached age of 18 have opportunity to elect to join alumnus database.
Learners and students who have attended programmes run by Legal Wales itself or in conjunction with other organisations with similar objects (e.g. the Lord	3 years from last contact.	Business Need	Period considered sufficient to establish continuing interest in Legal Wales activities.

<p>Edmund-Davies Legal Education Trust) and who have asked to join Legal Wales' alumni database (and if not on the general contact database).</p>			
<p>Press releases</p>	<p>5 years from publication unless Historical records (see section 1 above).</p>	<p>Business need</p>	
<p>Complaints handling</p>	<p>6 years from settlement or closure.</p>	<p>Business need and limitation period</p>	
<p>Website analytics reports from cookies and other similar technology</p>	<p>2 years</p>	<p>Business need</p>	<p>This refers to output of information obtained from cookies. No specific retention period is recommended by the ICO, although the Freedom of Information regulator recommends a period of 12 months for the collection and retention of Google Analytics data. The ICO recommends a retention period of 2 years.</p> <p>Cookies themselves can be set for different periods depending on the function of the cookie.</p>

## 5. LEGAL RECORDS

<b>TYPE OF DATA</b>	<b>RETENTION PERIOD</b>	<b>REASON</b>	<b>COMMENTS</b>
Data subject rights requests.	6 years from closure of request	Limitation period	
Previous versions of policies, including IT policy, privacy policy, retention policy etc.	6 years from being superseded	Business need and limitation period in the event of a related claim	
Insurance claims	3 years after settlement	Limitation period	