

## SOLICITORS DISCIPLINARY TRIBUNAL APPOINTMENTS – PRIVACY NOTICE

Version 1: Dated 13 October 2021

### Purpose of this privacy notice

1. This privacy notice is issued by the Master of the Rolls. It explains how the personal data of applicants for appointment to the Solicitors Disciplinary Tribunal (“the Tribunal”) will be processed by his office under the [Solicitors Disciplinary Tribunal Appointment Protocol 2020](#) (“the protocol”). It sets out how applicants can access their data and what they can do if they think the standards are not being met.
2. The Master of the Rolls may make changes to this privacy notice from time to time. When he does so he will publish the changed privacy notice on the Judiciary website. He will make clear any changes made to the privacy notice. The date and version of the privacy notice will always be placed in its heading so this information is easily found.

### Joint data controller

3. The Master of the Rolls and the Solicitors Disciplinary Tribunal Administration Limited (“SDTAL”) are joint data controllers. This privacy notice therefore ought to be read alongside the SDTAL’s [privacy notice for applicants](#). Should applicants have any issue regarding data processed by the SDTAL, they may contact Matthew Waterworth, the SDTAL data protection officer, at the following address:

5<sup>th</sup> Floor  
Gate House  
1 Farringdon Street  
London  
EC4M 7LG

Telephone: 020 7329 4808; email: [matthew.waterworth@solicitorsdt.com](mailto:matthew.waterworth@solicitorsdt.com).

### What type of personal data may be processed?

4. The following categories of applicants’ personal data may be processed under the protocol:
  - Information provided in the application form
  - Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses
  - Age
  - Outside interests as required to be provided under the Declaration of Personal Interests procedure
  - Outside interests relevant to the recruitment and selection procedure
  - Evidence of right to work and third-party references
  - Work and career history
  - Education, training and qualifications

- Membership of professional bodies relevant to the application
  - Information about any reasonable adjustments required during the recruitment and selection process
  - Any information provided during interview
  - Any information provided to us as a result of any tests (including psychometric tests) completed as part of the selection process
5. The following “special categories” of more sensitive personal data may also be processed:
- Information about gender, race or ethnicity, religious beliefs and sexual orientation
  - Information about health, including any medical condition, health and sickness absence records
  - Information about criminal convictions and offences
  - Information about political party membership or political affiliations.

**How is personal data collected?**

6. An applicant’s personal data is collected through the application and recruitment process, either directly from the applicant or sometimes from an employment agency or other third party recruitment provider. Additional information may be collected from third parties including former employers (in the form of references).

**What is the legal basis for processing?**

7. Applicants’ personal data will only be processed as permitted by law. Their personal data may be processed where it is necessary to comply with a legal obligation and where it is necessary to perform a task in the public interest.

*Necessary to comply with a legal obligation*

8. The purpose under this category is compliance with the Master of the Rolls’ legal obligation to appoint members of the Tribunal.

*Necessary to perform a task in the public interest*

9. The following purposes come under this category:
- Where the personal data was provided by the applicant as part of his or her application form/ CV, including his or her name, title, addresses, telephone numbers and personal email addresses – to make and maintain contact with the applicant throughout the recruitment and selection process
  - Where the personal data was provided by the applicant on his or her application form/CV and obtained during interviews and/or selection testing – to ascertain the applicant’s suitability for progression through the selection procedure and, ultimately, for employment/engagement
  - Where the personal data was obtained through external referees or background screening providers (which may include address history, employment history,

education background, criminal records information) – for verifying the information provided by the applicant in his or her application form/CV, to verify the relevant qualifications/requirements for the role, to verify the applicant’s employee declaration and as necessary for compliance and as required by regulatory bodies, and to ensure that there are no issues that could place unnecessary risks on the Master of the Rolls or a third party.

#### **Further processing for a new purpose**

10. Should the Master of the Rolls wish to use an applicant’s personal data for a new purpose, one not set out in this privacy notice, he will only do so after having let the applicant know about how he wishes to use it and where necessary will seek the applicant’s prior explicit consent to the new processing. This new purpose will be included and become applicable in revised privacy notices.

#### **How is special category personal data used?**

11. Special category personal data may be processed in the following circumstances:
  - In limited circumstances, with applicants’ explicit written consent;
  - Where it is necessary in the public interest, such as for the operation of the equal merit provision, set out in paragraph 48 of the protocol;
  - Less commonly, where it is needed in relation to legal claims.

#### **With whom may applicants’ personal data be shared?**

12. Some personal data may be shared with:
  - Referees provided by applicants in their application forms;
  - The Solicitors Regulation Authority for the purpose of a regulatory check.
13. An applicant’s personal data will not otherwise be shared with any third parties without his or her consent unless that is required under a legal obligation.

#### **Retention periods**

14. Applicants’ personal data will not be kept longer than is necessary. Unsuccessful applicants’ personal data is retained for a period of 12 months after the appointment decision is communicated to them (or 12 months after the expiry of any period during which they were included in the reserve list). Personal data is retained for this period so that it can be shown, in the event of a legal claim, that the unsuccessful applicant was not unlawfully discriminated against and that the recruitment exercise was conducted in a fair and transparent way. After this period, personal data will be securely destroyed.

15. When an applicant is appointed to the Tribunal, some of the information provided during the recruitment process is retained. Further details will be provided to those appointed.
16. Equal opportunities monitoring forms containing special category personal data may be retained for up to 12 months.

### **Security**

17. The security of applicants' personal data is very important. It will be stored securely on systems to which access is restricted via login/password to those in the Master of the Roll's office with a legitimate need to access that information. The Master of the Rolls will ensure that systems prevent unauthorised or unlawful processing of applicants' personal data and against its accidental loss, destruction, or damage.

### **Data subject access rights**

18. Unless subject to an exemption, applicants' have the following rights concerning their personal data:
  - the right to request a copy of the personal data which is hold about them;
  - the right to request that any personal data found to be inaccurate or out of date is corrected;
  - the right to request that personal data is erased where retention of that data is no longer necessary;
  - the right, where there is a dispute in relation to the accuracy or processing of personal data, to request that a restriction is placed on further processing;
  - the right to lodge a complaint with the Information Commissioner's Office.
19. Applicants are not required to pay any charge for exercising their rights. A response to a request must be made within one month. Applicants can request a copy of the information the Master of the Rolls' office holds about them at any time by emailing: [Masteroftherollsoffice@judiciary.uk](mailto:Masteroftherollsoffice@judiciary.uk).

### **Further information about this privacy notice**

20. If applicants have any questions or concerns about how the Master of the Rolls processes their personal data under the protocol, they can write to the following address:

Master of the Rolls' Private Office  
Solicitors Disciplinary Tribunal Appointment Process – Data Protection  
Room E214  
Royal Courts of Justice  
Strand  
London, WC2A 2LL

### **Further information about data protection and complaints**

21. If you wish to receive further information about data protection law generally or make a complaint about how your personal data has been processed under the protocol you can contact the Information Commissioner at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
Tel: 0303 123 1113

22. Further information on the protection of data can also be found on the [Information Commissioner's Office website](#).