
PRIVACY POLICY FOR LAMBETH CHILDREN'S HOMES REDRESS SCHEME
INDEPENDENT APPEAL PANEL

What is this Policy?

1. The General Data Protection Regulation (“**GDPR**”) gives you rights in relation to the personal information about yourself that you provide to the Lambeth Children’s Homes Redress Scheme Independent Appeal Panel (“**the Appeal Panel**”).
2. That information is called “personal data” under GDPR. It can be anything that identifies and relates to a living person. Any use that the Appeal Panel makes of that personal data is covered by this Privacy Policy. In this document we explain in more detail what rights you have in relation to the personal information that you provide to the Appeal Panel.
3. You should read this Privacy Policy together with any other Privacy Policy or fair processing notice that we may provide on specific occasions when we are collecting or processing personal data about you. You will then be fully aware of how and why we are using your data. This Privacy Policy supplements the other notices. It does not override them.

The identity of the Data Controllers

4. The individual members of the Appeal Panel are each controllers of any personal data which you supply to them in the course of any appeal under the Lambeth Children’s Homes Redress Scheme (“**the Scheme**”). Their names are:

Chair

Sir John Goldring

Legal members

Patricia Leonard

Richard Mumford

Matthew Boyle

Craig Carr
Saleem Khalid
Laura Johnson
Farah Mauladad

Non-legal panel members

Julie Brown, Qualified Social Worker
Sean Dirrane, Former Looked after child
Miranda Fisher, Qualified Social Worker and Practice Educator
Inder K Hunjan MBE, independent consultant higher education sector and Local Authorities
Maria Townsend, educational background and has a degree in psychology

5. When the phrase “Appeal Panel” is used, it means each Panel member, as a data controller. What is called the Panel’s ‘*Article 26 Arrangement*’ sets out how each Panel member will fulfil their obligations under what is called the GDPR.

Questions about this Privacy Policy

6. A Point of Contact has been appointed (Kat Shields). She is responsible for overseeing questions in relation to this Privacy Policy. If you have any questions about this Privacy Policy, including any requests to exercise your legal rights, please contact her using the details set out below.

Email address: kshields@7br.co.uk

Postal address: K. Shields, 7, Bedford Row, London WC1R 4BS

Telephone number: 0207 242 3555

Right to complain

7. You have the right to make a complaint at any time to the Information Commissioner about the way in which the Appeal Panel is processing your personal data. This is the supervisory authority for data protection issues (www.ico.org.uk). They can be contacted by calling 0303 123 1113. The Appeal Panel would, however, like to have the chance to

deal with any issues you may have before you contact the ICO—so please do get in touch with us with any queries you may have first.

What information do we ask for and why?

8. Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).
9. The Appeal Panel may collect, use, store and transfer different kinds of personal data about you. We have grouped this together as follows:
 - (a) **Identity Data** includes first name, maiden name, last name, username or similar identifier, title, date of birth and gender.
 - (b) **Contact Data** includes postal address, email address and telephone numbers.
 - (c) **Special Categories of Personal Data** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data).
10. The reason why the Appeal Panel may need to process your personal data is so that it can decide the outcome of your appeal under the rules of the Scheme.

Can we change the purpose of our processing your information?

11. We will only use your personal data for the purposes for which we collected it, unless, reasonably, we think we need to use it for another reason which is compatible with the original purpose. If you want an explanation as to how that might happen, please contact us using the details above.
12. If we do need to use your personal data for an unrelated purpose, we will notify you and explain why, legally, we may do so.

13. Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where the law requires or permits us to do so.

How is your personal data collected?

14. In the course of pursuing your appeal under the Scheme you may supply to the Appeal Panel your **Identity Data**, **Contact Data** and/or **Special Categories of Personal Data**.
15. Such data will be collected by filling in various forms and/or by corresponding with the Panel's Point of Contact by post, email or otherwise.
16. Your personal data may be collected because:
 - (a) you have chosen to supply the Appeal Panel with further evidence to support your appeal, and this evidence contains your personal data;
 - (b) your data may have been collected because you have been asked by the Appeal Panel to supply, and you have supplied, further information that might be required to help decide your appeal, and this information contains your personal data;
 - (c) some of your personal data may also be supplied to the Panel by the Council under the rules of the Scheme for the purposes of their response to your appeal. You should refer to the Council's own Privacy Policy for these purposes as well to understand how your personal data is being processed in these circumstances.

How the law allows us to use your personal data

17. The Appeal Panel will only use your personal data when the law allows us to. Most commonly, in relation to **Identity Data** and **Contact Data** we may rely on one or more of the following legal bases:

- (a) where you have given consent to the processing of your personal data for one or more specific purposes;
 - (b) where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests. We consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data. We do not use your personal data if the impact on you overrides our interests unless you have agreed or the law otherwise requires or permits it. If you want an explanation as to how that might happen, please contact us using the details above; and /or
 - (c) where the law requires us to.
18. When we process **Special Categories of Personal Data** about you (such as details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, information about your health and genetic and biometric data), we may rely on one or more of the following legal bases:
- (a) the explicit consent you have given to the processing of this personal data for the specific purposes outlined in this privacy policy;
 - (b) the processing is necessary for the establishment, exercise or defence of legal claims; and/or
 - (c) the processing relates to personal data that has already been made public by you.
19. If you have any further questions about the bases upon which we process your data, please contact the Point of Contact using the details above.

Who do we share your personal data with?

20. We may have to share your personal data with the following categories of people—

- (a) the Point of Contact under the rules of the Scheme;
- (b) the Clerks and other members of staff who are employed by 7BR Chambers;
- (c) other parties and their legal representatives in the proceedings concerning your appeal under the Scheme;
- (d) potential witnesses, in particular experts, in the proceedings concerning your appeal under the Scheme;
- (e) ombudsmen and regulatory authorities;
- (f) professional advisers;
- (g) other people with whom you give us your explicit consent on a case by case basis for us to share your personal data with, such as friends or family;
- (h) the email provider that the Appeal Panel/Point of Contact uses to communicate with you.

21. The Appeal Panel requires all third parties to respect the security of your personal data and to treat it in accordance with the law. If and when a third party is used, we only permit them to process your personal data for specified purposes and in accordance with our instructions.

What if you fail to provide your personal data?

22. Where the Appeal Panel requests that you provide certain personal data under the terms of the Scheme and you fail to provide that data when requested, the Appeal Panel may not be able to continue to consider your appeal. The Panel will notify you if this is the case at the time.

Where in the world is your information?

23. Personal data you supply to the Appeal Panel shall not be transferred outside the European Economic Area (EEA).

Protecting your information

24. The Appeal Panel have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents and other third parties who have a need to know for the purposes of your appeal under the Scheme. They will only process your personal data on the Appeal Panel's instructions and they are subject to a duty of confidentiality.
25. The Appeal Panel has put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

How long will we use your personal data for?

26. The Appeal Panel will only retain your personal data for as long as necessary to fulfil the purposes for which we collected it, including for the purposes of satisfying any legal, accounting, or reporting requirements.
27. When deciding how long to retain your personal data, the Appeal Panel will consider why it processes it, its amount, its nature and sensitivity, and the potential risk of harm from unauthorised use or disclosure. It will also consider what the law requires and whether the purpose for retaining the data can be achieved by other means.
28. In some circumstances you can ask the Appeal Panel to delete your data: see below for further information on the "right to erasure".
29. In some circumstances the Appeal Panel may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

Your rights

30. Under certain circumstances, you have rights under data protection laws in relation to your personal data. You have the right to:
- (a) **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 the Appeal Panel hold about you and to check that we are lawfully processing it.
 - (b) **Request correction of the personal data that we hold about you.** This enables you to have any incomplete or inaccurate data the Appeal Panel hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.
 - (c) **Request erasure of your personal data.** This enables you to ask the Appeal Panel to delete or remove personal data where there is no good reason for our 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 to erasure for specific legal reasons which will be notified to you if they apply.
 - (d) **Object to processing of your personal data** where the Appeal Panel is 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. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

- (e) **Request restriction of processing of your personal data.** This enables you to ask the Appeal Panel to suspend the processing of your personal data in the following scenarios: (1) if you want us to establish the data's accuracy; (2) where our use of the data is unlawful but you do not want us to erase it; (3) 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; or (4) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

- (f) **Request the transfer of your personal data to you or to a third party.** The Appeal Panel 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.

- (g) **Withdraw consent at any time** where the Appeal Panel is 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, the Appeal Panel may not be able to decide your appeal. We will advise you if that is the case at the time you withdraw your consent.

If you wish to exercise any of the rights set out above, please Contact Us by using the details provided above.

For more information about your rights in relation to the way in which we process your personal data, please see the following link:

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

No fee usually required

- 31. You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, the Appeal Panel may charge a reasonable fee if your request is clearly

unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

What we may need from you

32. The Appeal Panel may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). 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 to respond

33. The Appeal Panel will try to respond to all legitimate requests within one month. Occasionally it may take us longer if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

Changes to the Privacy Policy and your duty to inform us of changes

34. It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes throughout the appeal process.
35. This Policy may be updated from time to time. The Appeal Panel shall ensure that any amendments are communicated to you when this is the case.

26 July 2018