

## Legal Services Regulatory Authority

### Website (External) Privacy Notice

#### Introduction

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The Legal Services Regulatory Authority (LSRA) is committed to protecting the rights and privacy of all individuals in accordance with the EU General Data Protection Regulation, 2016/679 (GDPR) as given further effect in Part 3 of the Data Protection Act 2018.

The LSRA's Data Protection Policy sets out how the LSRA secures and manages personal data in accordance with the Principles of GDPR.

The LSRA collects, processes and stores personal and often sensitive data on an ongoing basis. The Data Protection Acts 1988 to 2018 together with the EU General Data Protection Regulation (GDPR) confer rights on individuals as well as responsibilities on those persons and organisations processing personal data.

This policy applies to all data held by the LSRA. This includes electronic and paper records; it also includes any CCTV images in the LSRA.

#### Who are we?

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The LSRA is the independent regulator for legal services providers in the Republic of Ireland. We work to maintain and improve standards in legal services and ensure value for money in the interest of customers. We are the first point of contact for complaints about solicitors and barristers.

This notice sets out the basis on which any personal data we collect from you, or from others, will be processed by us. Please read the following carefully to understand our practices regarding your personal data and how we will treat it.

The Data Protection Framework which includes this Privacy Notice is maintained by the LSRA's Data Protection Officer (DPO) and is approved by the CEO and DPO. Our DPO contact is Ms. Orla Corcoran who is contactable at [dpo@lsra.ie](mailto:dpo@lsra.ie).

#### Details of Personal Data Processing

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In the course of our business, we collect and process the Personal Data as set out in this Notice. This may include data we receive directly from a Data Subject (for example, by complaints made to us or by visiting our website) and data we receive from other sources (for instance, from the Law Society of Ireland, the Bar of Ireland or the Honourable Society of the King's Inns regarding a complaint made against a legal practitioner).

We will only process Personal Data for the specific purposes set out in this Notice or for any other purposes specifically permitted by the applicable law. We will notify those purposes to the Data Subject when we first collect the data or as soon as possible thereafter.

The LSRA's Data Protection Policy applies to data records of all types regardless of the medium on which they are held. The functions of the LSRA are set out in section 13 of the Legal Services Regulation Act 2015.

### **Purpose of Data Processing**

In carrying out these functions, the LSRA collects and uses information for the following purposes:

- Protect and promote the public interest.
- Support the proper and effective administration of justice.
- Protect and promote the interests of consumers relating to the provision of legal services.
- Promote competition in the provision of legal services in the State.
- Encourage an independent, strong and effective legal profession.
- Promote and maintain adherence to the professional principles of independence and integrity.

The functions of the LSRA will require it to process data in respect of the following:

1. Processing of complaints relating to legal professions (Part 6 of Legal Services Regulation Act 2015);
2. Inspections of legal professional's premises (Part 3 of the Act);
3. Regulation and registration of new business structures (e.g. Limited Liability Partnerships);
4. Imposition of a Levy on professional bodies and certain barristers (Part 7 of the Act)
5. Establishment and maintenance of a Roll of practicing barristers (Part 9 of the Act);
6. Conducting public consultations and research;
7. General correspondence received;

The Legal Practitioners Disciplinary Tribunal (LPDT) was established under the 2015 Act and will have its own Data Protection policies.

### **What Personal Information do we Collect about you?**

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As part of its role as a data processor, the LSRA is responsible for securing the personal data it obtains, transmits, stores or processes. The following list highlights the type of data that may be processed by the LSRA and is covered by the Data Protection legislation.

#### **Complaints process:**

When you make a complaint to the LSRA or are the subject of a complaint, we collect and process the following information in relation to you and your complaint:

Personal Data including:

- Name, correspondence address (including email address), telephone number;

### **Roll of Practising Barristers**

In relation to the establishment of the Roll of Practising Barristers under Part 9 of the 2015 Act, the following data:

#### **Data for Public Facing Roll**

- First Name
- Surname
- Other professional name
- Member of the Law Library (Y/N)
- In full-time service of the State (Y/N)

#### **Data for purpose of Administration of Roll (not Public Facing)**

- Correspondence address
- Email address
- Telephone Contact No
- Year of Admission by the Honourable Society of King's Inns to the degree of Barrister-at-Law
- Year and Term of Call to the Bar of Ireland
- Year of registration as a 'registered lawyer' in Ireland by virtue of the European Communities (Lawyers Establishment) Regulations 2003
- Confirmation that applicant is appropriate to the Roll
- Option for consent to allow LSRA share data with Honourable Society of King's Inns to verify qualifications of applicant (applicant can opt in or out)
- Signature

#### Sensitive Personal Data including:

- Details regarding professional disciplinary measures and/or restrictions to practice.

### **New Business Models**

#### **Limited Liability Partnerships (LLPs)**

Data provided by the LLP in their application form:

- Nature of the relevant business (Currently only 'Partnership of solicitors');
- Name of the relevant business;
- Principal address of the relevant business;

- Law Society Firm Number;
- Telephone Number;
- Email Address;
- Name of Insurer and Broker if applicable;
- Signature of the partner completing the form;
- Name of the partners;
- Their work address if different than the principal address;
- Solicitor Number, and,
- Signature of the individual countersigning the form.

### Cookies

When you visit our website, you may consent to our [Cookie Policy](#) . A cookie is a small text file that may be stored on your computer or mobile device that contains data related to a website you visit. It may allow a website “remember” your actions or preferences over a period of time, or it may contain data related to the function or delivery of the site. Cookies can be set by the owner of the website or in some cases by third party services the website owner allows to present other information, run content or provide other functionality such as analytics. Further information on cookies can be found at: [http://ec.europa.eu/ipg/basics/legal/cookies/index\\_en.htm](http://ec.europa.eu/ipg/basics/legal/cookies/index_en.htm).

You can find a list of cookies used by the LSRA on its site at address <https://www.lsr.ie/privacy-policy-cookies/>

### **What Personal Information do we Obtain from Others?**

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To fulfil our purpose as an independent regulator of legal practitioners and facilitating a complaints service, there are certain types of personal data that we obtain from other sources.

#### **Complainants and Legal Practitioners the subject of Complaints**

- Complaints received from the Law Society of Ireland or the Honourable Society of the King’s Inns will provide personal data relating to the subject(s) of a complaint.
- The Legal practitioner subject of a complaint may also provide personal data relating to themselves and other relevant parties.

#### **Roll of Practicing Barristers**

Data provided by the Barristers on their application form:

- First Name;
- Surname;
- Other professional name (if applicable);
- Membership of the Law Library status (Yes/No);
- Full-time service of the State status (Yes/No);
- Correspondence Address;
- Email Address;
- Telephone Number;
- Year of admission to the degree of Barrister-at-Law;
- Year and Term of call to the Bar of Ireland;
- Year of registration as an EU Registered Lawyer (if appropriate);
- Signature, and,
- Senior Counsel status (this is not on the application form but usually received via email from the Barrister).

The Barristers provide the LSRA with the consent on the application form to contact the Honorable Society of King's Inns (HSKI) for verification of their details or, alternatively, provide the LSRA with the relevant documentation to allow the LSRA to verify the information.

Data sent to the King's Inns for the verification process:

- Practising Barrister Reference Number (assigned by the LSRA);
- First Name;
- Surname;
- Other professional name (if applicable);
- Year of admission to the degree of Barrister-at-Law (as provided by the applicant to the Roll), and,
- Year and Term of the Call to the Bar of Ireland (as provided by the applicant to the Roll).

This data allows the HSKI to verify that Barrister is a 'qualified barrister'.

#### **Data Obtained from Other Sources**

- Regarding Law Library Membership, The Bar of Ireland advises the LSRA via email when a Barrister leaves or joins membership. This highlights to the LSRA that this detail for the Barrister on the roll is incorrect/has changed and, if the Barrister has not already requested an

update to their details, the LSRA contacts them via email, telephone or post and requests that they send in an amendment form or voluntary removal form as appropriate. This membership status is required for the purpose of the Levy of the professions under the Legal Services Regulation Act 2015.

- Barristers applying for entry to the roll as ‘EU Registered Lawyer’ must be registered with The Bar of Ireland as an ‘EU Registered Lawyer’. The Bar of Ireland also keeps the list of these persons on their website. The LSRA uses this list to verify the Barrister as an ‘EU Registered Lawyer’ and the LSRA associates the download detail from the Bar of Ireland website on the Barrister’s LSRA Roll file.

### **Limited Liability Partners**

Data provided by the LLP in their application form:

- Nature of the relevant business (Currently only ‘Partnership of solicitors’);
- Name of the relevant business;
- Principal address of the relevant business;
- Law Society Firm Number;
- Telephone Number;
- Email Address;
- Name of Insurer and Broker if applicable;
- Signature of the partner completing the form;
- Name of the partners;
- Their work address if different that the principal address;
- Solicitor Number, and,
- Signature of the individual countersigning the form.

The Law Society of Ireland provides the Registration, Levy and Fees Unit at the LSRA a spreadsheet of solicitor details on a weekly basis. This includes a list of solicitor firms registered with the Law Society i.e. the sole traders and partnerships of solicitors, a list of solicitors registered as partners in Partnerships of Solicitors and a list of partners who have conditions on their practising certificates.

When an application form is received, the Unit checks the latest spreadsheet and confirms the solicitors are registered with the Law Society as partners and the Firm details and partner details match those provided on the form.

The Unit also checks the ‘Find a solicitor’ and ‘Find a firm’ search engines on the Law Society website, and adds that detail from the website to the LLP’s LSRA file.

The LSRA may contact the LLP’s insurance broker to confirm that the relevant insurance arrangements are in place for the LLP registration to proceed.

## Who do we Share your Personal Data with?

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In order to carry out our functions, there may be circumstances where we must share your personal data with others.

### Complainants

- In respect of a complaint about a solicitor, the LSRA is required to contact the Law Society to notify in case matter has previously been dealt with
- Data shared with LPDT Tribunal where a case is subject of an application there
- LSRA Legal Advisors

### Roll of Practising Barristers

- Data is shared with the Kings Inns to verify whether a Barrister is a 'qualified Barrister'. This is done with consent of the data subject. The Roll of Barristers is a public facing document with limited personal data.

### Limited Liability Partners

- The LSRA publishes and maintains on its website a Register of Limited Liability Partnerships also accessible under the 'Find a Firm' search engine.
- The file contains the following data which is either available publicly on the LSRA website or already held by the Law Society:
  - Law Society Firm Number;
  - Full Name of the partnership;
  - Address at which the partnership carries on Business;
  - Authorisation Date under section 125(6);
  - Name of Each Partner;
  - Address of Each Partner, and,
  - Solicitor Number

## How long do we Keep your Personal Data for?

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The LSRA has in place a data retention policy which establishes the length of time that personal data is retained and the purpose(s) of its retention. The LSRA will ensure that data is not be retained for longer than it is required and will be properly destroyed/deleted when it is no longer needed (please also consult our data handling policy). In this regard, it is important to note that the LSRA has limited

control in relation to record destruction due to obligations that arise under the National Archives Act, 1986 and the Freedom of Information Act, 2014.

## Do we transfer your information outside the EU or EEA?

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The LSRA will ensure that, prior to transferring any personal data outside of the European Union, appropriate safeguards are in place.

## Do we use Automated Decision-Making, Profiling or AI?

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In accordance with section 22 of the GDPR, data subjects have the right not to be subjected to a decision based solely on automatic processing, including profiling, that have a legal or similarly significant effect on them. Given that findings of a complaints procedure may have significant effects on the data subject, the LSRA currently does not use any form of automation to come to a decision. If in future automation is intended to be used, we will first inform all data subjects and will subsequently ensure that no decision issued to a data subject is based on automatic processing alone.

## What are your Rights with respect to your Personal Data?

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Subject to Section 60 of the Data Protection Act, 2018 and any associated Regulations, the GDPR specifies the following rights for data subjects:

- right to be informed/right of access
- right to rectification
- right to erasure
- right to restrict processing
- right to data portability
- right to object to processing
- rights in relation to automated decision making and profiling

Please consult our Data Subject Rights Policy for more information on how to exercise these rights.

## What will happen if we change our Privacy Notice?

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The Data Protection Notice is maintained by the LSRA's Data Protection Officer (DPO) and is approved by the CEO and DPO. The Notice will be reviewed at least annually by the DPO to ensure alignment to appropriate risk management requirements and its continued relevance to current and planned operations, or legal developments and legislative obligations.

Further comments or questions on the content of this Notice should be directed to the DPO. Any material changes to this policy will require approval by the CEO and DPO.

## How can you Contact us?

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Data Subjects have the right to be informed by the LSRA about the collection and use of their personal data. In addition, they have the right to access their personal data and other supplementary information, as appropriate.

The LSRA has implemented procedures to ensure that all such Subject Access Requests (SARs) are responded to within the one-month period as required under Article 12 of the GDPR.

The Subject Access Request (SAR) form for the Legal Services Regulatory Authority (LSRA) can be found on the LSRA's website Data Protection page <https://www.lsr.ie/data-protection-gdpr/>

### **Data Protection Officer**

Phone: (0761) 104 800

Data Protection Officer

Email: [info@dataprotection.ie](mailto:info@dataprotection.ie)

The Legal Services Regulatory Authority

PO Box 12906

Dublin

Email: [dpo@lsra.ie](mailto:dpo@lsra.ie)

### **Data Protection Commission**

21 Fitzwilliam Square

Dublin 2

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