

**Data-sharing protocol for the sharing and disclosure of information between**

**The Council of the Inns of Court (BTAS and the ICC)**

**And**

**The Honourable Society of The Inner Temple**

**And**

**The Honourable Society of The Middle Temple**

**And**

**The Honourable Society of Gray's Inn**

**And**

**The Honourable Society of Lincoln's Inn**

## **Purpose**

1. This document ('the Protocol') provides a framework for the collection, sharing, retention and destruction of information between the independent data controllers; the Council of the Inns of Court (COIC) through its disciplinary bodies and the four Inns of Court: Inner Temple, Middle Temple, Gray's Inn and Lincoln's Inn.
2. It provides a guide for members of the four Inns of Court about how their data might be shared amongst the Inns and with COIC (and vice versa), what data might be shared and the reason for the sharing. This protocol does not cover the relationship the Inns have with the ICCA as an authorised training organisation.
3. This protocol should be read in conjunction with the data protection policy and privacy notices supplied by the data subject's own Inn of Court and of COIC. These can be found on the Inns' and COIC's websites as below. [Insert hyperlinks to privacy statements here.](#)
4. The sharing of personal data set out in this protocol is necessary to ensure that the Inns of Court have adequate regulatory oversight of their students, and that the responsibilities of COIC and the Inns, as set out in the Memorandum of Understanding with the Bar Standards Board, are complied with.

## **Risk and Security**

5. The process of transferring personal data includes a risk of security breaches. However, this is mitigated by the robust security policies and measures which each party has in place. There is also a risk that we do not use the shared personal data in line with the UKGDPR requirements. This risk is mitigated by the parties upholding this protocol, their own commitment to their members' personal data and their obligations within the MOU between the Inns, COIC and the Bar Standards Board.
6. The parties acknowledge that there is a risk in sharing data, but all parties have robust data protection policies and security measures in place and take their responsibilities for the security of their members' data very seriously. The parties are sure that members can have confidence in the measures put in place and that the Inns, and COIC, have instituted data protection by design and default.
7. The parties are also committed to upholding their responsibilities under this agreement, the MOU and the current data protection legislation.
8. The parties agree to act as independent data controllers in respect of the data shared between Inns.
9. Annex 2 sets out the individuals who are the nominated Data Protection Officers/Leads (DPO) and therefore have responsibility to ensure that only those who require access to the shared personal data can have this.

## **The data to be shared**

10. The parties agree that the shared personal data set out in Annex 1 is the least amount of personal data required to be shared to ensure the Inn is assured that their regulatory and membership functions are administered satisfactorily. This also sets out the purpose for which the personal data is shared between the parties.
11. The shared personal data collected and stored by each party is set out in Annex 1 and should be used for the stated purposes only, and in accordance with relevant statutory, regulatory and policy provisions.
12. The Parties agree to inform individuals who provide their data which is shared under this Protocol of the existence of this protocol through their Privacy Notices and Data Protection Policies.

## **Retention**

13. The parties will only retain shared personal data for as long as is necessary for the legitimate purposes for which the shared personal data is processed (which may be different for each party). This period is determined by the party's own data protection and/or data retention policies. Where retention periods have been agreed by the parties for specific categories of data these are set out in Annex 1.
14. Each party is responsible for ensuring that when those legitimate purposes come to an end, the shared data is securely deleted.
15. The parties are each responsible for ensuring that the data they hold is held securely and in line with current best practice and that the data is secure by design and default.

## **The Rights of the Data Subject, Monitoring & Complaints**

17. The Data Protection Act provides the following rights for the individual data subject:
  - i. The right to be informed
  - ii. The right of access
  - iii. The right to rectification
  - iv. The right to erasure
  - v. The right to restrict processing
  - vi. The right to data portability
  - vii. The right to object
  - viii. Rights in relation to automated decision making and profiling.
18. The data subject's Inn of admission should deal with any requests pertaining to access, objection to processing, rectification, erasure, restriction and portability

(The Inns do not currently use any automated decision making or profiling) and inform the other Inns when that request impacts on some data that had been shared with them unless the request relates to BTAS or the ICC in which case the individual should contact COIC.

19. Individuals wishing to submit a subject access request should do so to each organisation they are seeking personal data from.
20. The parties sharing personal data will be responsible for monitoring the data that has been shared and with which other parties.
21. Any complaints about the way any of the parties have used personal data should in the first instance be directed to the Inn's DPO.
22. The data subject also has the right to complain to the ICO if they are not satisfied with the way the Parties use their information. The data subject can contact the ICO by writing to Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

#### **Ad Hoc or one-off Data Sharing**

23. It may sometimes be necessary for the parties to share data in a way not covered by this agreement. Where possible the Inn will inform its members about the processing, but it may be necessary to decide to share data quickly, in conditions of real urgency or in an emergency. The parties would do this only where it was considered vital or necessary and proportionate.

Signature Anne Sharp  
Date 10 February 2022

Anne Sharp CBE  
Under Treasurer of the Honourable Society of Lincoln's Inn

Signature G. J. Dorey  
Date 14 February 2022

Greg Dorey CVO  
Sub-Treasurer of the Honourable Society of the Inner Temple

Signature Victoria Wallace  
Date 8 March 2022

Victoria Wallace  
Under Treasurer of the Honourable Society of the Middle Temple

Signature AD Harking  
Date 9 March 2022

Brigadier Anthony Harking OBE  
Under Treasurer of the Honourable Society of Gray's Inn

**Annex 1 – the personal data to be shared**

The information to be shared	Purpose	Basis	How	When	Retention
<b>Scholarships Data</b>					
<b>Applicants for Scholarships</b>					
Full names (secondary data i.e. date of birth may be shared in the case of applicants sharing first and second names).	To check that applicants for scholarships have only applied to one Inn (applying to more than one Inn is not allowed).	Legitimate interest	Password protected spreadsheet from each Inn to the other Inns. Details of the mechanism used for the password protection of documents can be found at Annex 3.	Shortly after the deadline for applications has passed.	Deleted immediately after use.
<b>Disciplinary Data</b>					
<b>Applicants for admission to an Inn who withdraw their application before admission having declared matters</b>					
Name of applicant Date of Birth The category of conduct (i.e. which question the admission declaration they made a declaration under, but not the details of the declaration) or nature of report (i.e. what type of institution a report has been received from eg. academic institution).	To prevent applicants who have withdrawn an application after declaring matters which call into question whether they are Fit and Proper, or after information about them has become known to the Inn, applying to another Inn without making a full disclosure.	Task in the public interest	Email by applicant's Inn to the other Inns.	After withdrawal of application.	To be kept by the 4 Inns for the assumed lifetime of the applicant. Unless and until they have been admitted by an Inn of Court after being passed as Fit and Proper by the Inns' Conduct Committee, in which case the Inns apart from the Inn of

						admission will delete all data.
<b>Applicants for admission or Called members of an Inn whose referral to either the ICC or BTAS result in no sanction being imposed.</b>						
Name MyBar Number if available Date of birth Details of the disclosure or report which brought into question their status as Fit and Proper. Result of the ICC or BTAS proceedings.	To ensure that the Inn's records show that the applicant or Inn member is considered to be Fit and Proper.	Task in the public interest/legitimate interest	Email by the ICC/BTAS to the Inn concerned.	Within 7 days of the finding.	To be kept by the Inn concerned for the assumed lifetime of the applicant.  COIC will dispose of the data 3 years after the appeal period has expired.	
<b>Applicants for Inn admission who are refused by the ICC</b>						
Name Inn the application was made to MyBar Number if available Date of birth Reason admission refused. Time during which no further Inn application may be considered.	To ensure all Inns are aware that applications from the individual may not be considered for the time prescribed by COIC.	Task in the public interest	Email from the ICC to the 4 Inns.	Within 7 days of the refusal being issued.	To be kept by the 4 Inns for the assumed lifetime of the applicant. Unless and until they have been admitted by an Inn of Court after being passed as Fit and Proper by the ICC, in which case the Inns apart from the Inn/Inns of admission will delete all data.  COIC will dispose of the data 10 years	

					after the appeal period has expired.
<b>Inn Members Suspended from or deprived of rights of membership of their Inn</b>					
Name Inn Length of suspension or deprivation	To prevent a suspended or deprived member exercising those rights they are prevented from using at another Inn of Court.	Legitimate interest	Email by member's Inn to the other Inns.	When the rights of the member are deprived.	The Inn of Call will keep the data for the assumed lifetime of the applicant. The other Inns will keep the data for the length of the suspension or deprivation.
<b>Student Members having Call denied</b>					
Name Inn Inn membership number Sanction imposed by COIC.	To prevent a student applying to join another Inn without declaring they have previously been expelled from an Inn.	Task in the public interest	Email from the ICC to the Inns.	Within 7 days of the sanction being imposed.	To be kept by the 4 Inns for the assumed lifetime of the applicant. Unless and until they have been Called after being passed as Fit and Proper by the ICC in which case the Inns apart from the Inn of Call will delete all data.  COIC will dispose of the data 10 years after the appeal period has expired.
<b>Student Members having Call delayed</b>					
Name Inn	To enable Inns to keep the status of their	Task in the public interest	Email from the ICC to the Inns.	Within 7 days of the sanction being imposed.	The Inn of admission will keep the data for



<p>Inn membership number Sanction imposed by COIC.</p>	<p>members up to date. To enable Inns to appropriately schedule Call for members.</p>				<p>the assumed lifetime of the applicant. The other Inns will keep the data for the period of the delay.  COIC will dispose of the data 6 years after the appeal period has expired.</p>
<b>Called Members having been disbarred or suspended from the Bar</b>					
<p>Name Inn Inn membership number Sanction imposed by COIC.</p>	<p>To enable the Inns to keep the practising status of their members up to date. To prevent a suspended or disbarred member exercising those rights they are prevented from using.</p>	<p>Task in the public interest</p>	<p>Email from (BTAS) to the Inns.</p>	<p>Within 7 days of the sanction being imposed?</p>	<p>In the case of disbarment the data will be kept by the 4 Inns for the assumed lifetime of the barrister; in the case of suspension the data will be kept for the length of the suspension with the Inn of Call keeping the data for the assumed lifetime of the applicant  BTAS will retain the data 'indefinitely' in the case of disbarment. In cases of suspension for more</p>

						than a year they will dispose of the data after 10 years. In cases of suspension for less than a year they will dispose of the data within 6 years.
<b>Event Data</b>						
<b>Event attendee details where two or more Inns are hosting a joint event or Amity Dinner</b>						
Name Booking details (specific details to be determined by the host Inn). Contact details Dietary requirements	Ensure the smooth running of the event, that bookings are honoured and to ensure the health and safety of guests.	Contract	Password protected spreadsheet	Before the event.	In line with the Inns' own retention policies.	
<b>Details of attendees at joint qualifying sessions</b>						
Name Booking details (specific details to be determined by the host Inn). Contact details Dietary requirements	To ensure attendees receive the correct qualifying session 'points' for attending an event.	Contract	Password protected spreadsheet	Within 7 working days of the event.	In line with the Inns' own retention policies.	
<b>Pupil Supervisor Training</b>						
Name Inn Inn membership number MyBar Number Whether the training has been successfully completed along with any associated information.	To enable Inns to contact those members of other Inns who are attending their training to provide joining instructions.  To enable Inns having members from other	Legitimate interest	Email	Prior to the event.  Within 7 working days of the event.	In line with the Inns' own retention policy.	

	Inns attend their training to be able to inform their Inns whether they have successfully completed the training.				
<b>Pupils' Advocacy Training</b>					
Name Inn Whether the training has been successfully completed and any associated information.	To enable Inn membership records to show whether the person has successfully completed the training or if further training is needed when this training takes place at an Inn other than the Inn of Call.	Legitimate interest	Via email from the Inn holding the event to the other Inns who had members attend.	Within 7 working days of the event.	2 years after successful completion of the course or termination of training.
<b>New Practitioner Training</b>					
Name Inn Whether the training has been successfully completed and any associated information.	To enable Inn membership records to show whether the person has successfully completed the training when this training takes place at an Inn other than the Inn of Call.	Legitimate interest.	Via email from the Inn holding the event to the other Inns who had members attend.	Within 7 working days of the event.	2 years after the New Practitioner period is complete.
<b>Scholarship Interview Training</b>					
Name Inn Whether the training has been successfully completed and any associated information.	To enable Inns to be clear which of their members are fully trained in the delivery of scholarships interviews.	Legitimate interest	Via email by COIC to the Inns of those in attendance.	Within 7 working days of the event.	Kept by the Inn of Call for the assumed lifetime of the applicant.

<b>Other</b>			
<b>Complaints and Subject Access Requests</b>			
<b>Name</b>	To enable responses to subject access requests and complaints to be as complete as possible.	Legal obligation	Review every 2 years after last contact and delete if no longer relevant.
<b>Inn MyBar Number</b>		By Email from the Inn receiving the request to those Inns with whom it has shared relevant data?	Within 7 working days of receipt of the subject access request/complaint?

**Annex 2 - Data Protection Officer/Lead**

<b>Figure 2 – Data Protection Officer/Lead at COIC</b> - This table sets out the contacts at the BSB through which contact between the Parties will be channelled.	
<b>Position held</b>	DPO are the designated contacts for the different sets of shared personal data and for responding to data access requests, queries or complaints.
<b>COIC Director</b>	DPO responsible for determining the individuals within their team who can access the sets of shared personal data.
James Wakefield	
<a href="mailto:jwakefield@coic.org.uk">jwakefield@coic.org.uk</a>	
0207 8220 761	

<b>Figure 3 – Data Protection Officer/Lead at The Inner Temple</b> - This table sets out the contacts at the Inner Temple through which contact between the Parties will be channelled.
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<b>Position held</b>	DPO are the designated contacts for the different sets of shared personal data and for responding to data access requests, queries or complaints.	DPO responsible for determining the individuals within their team who can access the sets of shared personal data.
<b>Membership Registrar</b> Jude Hodgson <a href="mailto:jhodgson@innertemple.org.uk">jhodgson@innertemple.org.uk</a> 020 7797 8206	<ul style="list-style-type: none"> <li>• Membership Information</li> <li>• Student Conduct</li> <li>• Lawyers seeking readmission or transfer</li> <li>• Hearings at the ICC</li> </ul>	<ul style="list-style-type: none"> <li>• Membership Information</li> <li>• Student Conduct</li> <li>• Lawyers seeking readmission or transfer</li> <li>• Hearings at the ICC</li> <li>• Call to the Bar</li> </ul>
<b>Education Co-ordinator</b> Richard Loveridge <a href="mailto:Rloveridge@innertemple.org.uk">Rloveridge@innertemple.org.uk</a> 020 7797 8212	<ul style="list-style-type: none"> <li>• Call to the Bar</li> </ul>	

**Figure 4 – Data Protection Officer/Lead at The Middle Temple** - This table sets out the contacts at the Middle Temple through which contact between the Parties will be channelled.

<b>Position held</b>	DPO are the designated contacts for the different sets of shared personal data and for responding to data access requests, queries or complaints.	DPO responsible for determining the individuals within their team who can access the sets of shared personal data.
<b>Date Governance Manager</b> Sarah Cates <a href="mailto:s.cates@middletemple.org.uk">s.cates@middletemple.org.uk</a>		

0207 427 4809		
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**Figure 5 – Data Protection Officer/Lead at Gray’s Inn** - This table sets out the contacts at Gray’s Inn through which contact between the Parties will be channelled.

<b>Position held</b>	DPO are the designated contacts for the different sets of shared personal data and for responding to data access requests, queries or complaints.	DPO responsible for determining the individuals within their team who can access the sets of shared personal data.
<b>Compliance &amp; Member Services Manager</b> Vicky Hanson <a href="mailto:v.hanson@graysinn.org.uk">v.hanson@graysinn.org.uk</a> 0207 458 7965	<ul style="list-style-type: none"> <li>• Membership Information</li> <li>• Admission &amp; Student Conduct</li> <li>• Lawyers seeking readmission or transfer to the Bar</li> <li>• Hearings at the ICC</li> <li>• Call to the Bar</li> <li>• Voluntary withdrawal or disbarment</li> </ul>	
<b>Dermot Doughty</b> Director of Finance <a href="mailto:Dermot.doughty@graysinn.org.uk">Dermot.doughty@graysinn.org.uk</a> 0207 458 7803	Dermot Doughty is the Data Controller for the Inn’s business overall.	Dermot Doughty is the Data Controller for the Inn’s business overall.

**Figure 2 – Data Protection Officer/Lead at Lincoln’s Inn** - This table sets out the contacts at Lincoln’s Inn through which contact between the Parties will be channelled.

<b>Position held</b>	DPOs are the designated contacts for the different sets of shared personal data and for responding to data access requests, queries or complaints.	DPOs responsible for determining the individuals within their team who can access the sets of shared personal data.
<b>Naomi Johns</b> Data Protection Officer <a href="mailto:data.protection@lincolnsinn.org.uk">data.protection@lincolnsinn.org.uk</a> 0207 405 1393		

### Annex 3

#### **Transmitting and sending personal data**

This protocol requires the sending of personal data to each organisation. This presents a risk to the subject in errors and accidents causing their personal data to be compromised.

Inn's staff who have responsibility for the administration of this protocol and the sharing of personal data will be required to read this guidance.

In sending personal data they should ensure that:

- The correct recipients address is in the TO line before pressing send
- Personal data covered by this protocol should not be in the body of the email
- No personal data should be in unencrypted attachments
- Personal data should be in encrypted documents with passwords.
- Password should be sufficiently long and complex to prevent compromise.

When sending password protected documents by email Inn staff will advise the recipient in the body of the email to contact them via video Call when they will be provided with the password for the document. The password must not be written down or kept further to the opening and processing of the document.