



Information Charter

Version Control

Version	Issue date	Last review date	Owned by
1	October 2013	April 2018	Corporate Assurance
2	April 2018	November 2020	Corporate Assurance
3	November 2020	August 2021	Lucy Jones
4	August 2021		Lucy Jones
5	December 2021	August 2021	Lucy Jones

Version History

Version	Date	Reason
2	April 2018	Updates to reflect GDPR
3	November 2020	Updates to reflect EU Exit and changes to UK GDPR.
4	August 2021	Updated to current guidance format Updated link to MoJ Information Charter Updated Disclosure Team contact details Updated DPO contact details
5	December 2021	Updated to include link to privacy notice

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Purpose

The Information Charter sets out the standards that you can expect from the Legal Aid Agency (LAA) when the LAA requests or holds personal information or data about you; how you can get access to a copy of your personal data; and what you can do if you think the standards are not being met.

The LAA is an executive agency of the Ministry of Justice (MoJ). MoJ is the Data Controller for the personal data held by the LAA. The LAA collects and processes personal data for the exercise of its own and associated public functions. The LAA's public function is to provide criminal and civil legal aid and advice in England and Wales.

The lawful basis for the LAA collecting and processing your personal data is the result of the powers contained in the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

About Personal Data

Personal data is information that relates to living individuals who can be identified from the data. It does not include information relating to dead people, groups or communities of people, organisations or businesses.

Personal data is information about you as an individual. It can be your name, address or telephone number. It can also include information about previous or current legal proceedings that you have been involved with, details of any offences and convictions relating to you and information concerning your financial circumstances.

The LAA knows how important it is to protect the privacy of people applying for or accessing legal aid and to comply with data protection laws. The LAA will safeguard your personal data and will only disclose it where it is lawful to do so, or with your consent.

Types of Personal Data Processed

The LAA only processes personal data that is relevant and necessary for the services the LAA is providing to you. This may include:

- Personal details;
- Family, lifestyle and social circumstances;
- Financial details;
- Employment and education details;
- Physical or mental health details;
- Criminal offences, including alleged offences;

- Criminal and Civil legal proceedings, including outcomes, sentences and Court orders;
- Nationality and immigration status.

The LAA also collects 'special categories of personal data'. Some 'special category' data is collected because it is directly relevant to making a decision on a legal aid case. The LAA also collects this data for the purposes of monitoring equality; this is a legal requirement for public authorities set out in the Equality Act 2010. 'Special categories of personal data' obtained for equality monitoring purposes will be treated with the strictest confidence and any information published will not identify you or anyone else associated with you.

Sharing Personal Data

The LAA sometimes needs to share the personal data we process with the individual themselves, with other parts of MoJ and also with other organisations. Where this is necessary the LAA will comply with all aspects of data protection legislation. Types of organisations the LAA may share some of the personal data processed, for one or more reasons, include:

- Family, associates and representatives of the person whose personal data the LAA are processing;
- Employment and recruitment agencies;
- Current, past and prospective employers;
- Educators, training establishments and examining bodies;
- Healthcare, social and welfare advisors or practitioners;
- Local and Central Government;
- Suppliers and services providers;
- Debt collection and tracing organisations;
- Financial organisations;
- Members of Parliament;
- Ministers;
- Members of the Judiciary;
- Business associates and other professional advisors and consultants;
- Employees and agents working for the LAA;
- Voluntary and charitable organisations;
- Ombudsmen, regulatory authorities and professional standards bodies;
- Trade Unions, employer associations and professional bodies;
- Police forces;
- The Media;
- The National Audit Office, auditors and audit bodies;
- Prosecuting authorities; and
- Security services.

You can contact the MoJ Data Protection Officer for further information on the organisations the LAA may share your personal data with. Their contact details are set out in the “Further Details” section below.

It may sometimes be necessary to transfer personal data overseas. When this is required information may be transferred to countries or territories around the world.

Privacy Notices

When the LAA collects personal data from you the LAA will inform you of the reasons why it is being collected, the legal basis for collecting it, whether we share the information with other organisations and of the LAA obligations and your rights under data protection legislation.

This information will be displayed on a Privacy Notice which will be available to you at the point the LAA collects the personal information.

The Privacy Notice can be viewed [here](#).

Our Commitments

When asking for your personal data the LAA promises to:

- Make sure you know why the LAA needs your personal data and whether you can say no when the LAA asks for it;
- Ask only for the personal data needed and not collect information that is irrelevant or excessive;
- Protect your personal data and make sure no unauthorised person has access to it;
- Only share the information with other organisations when it is appropriate and necessary to do so, for legitimate purposes;
- Make sure your personal data is not kept for longer than is necessary;
- Not make your personal data available for commercial use without your express consent; and
- Consider your request to stop processing, amend, erase or access your personal data.

In return the LAA ask you to:

- Give us accurate information; and
- Tell us as soon as possible if there are any changes to your personal circumstances, such as your address or finances. This helps the LAA keep your personal data reliable, accurate and up to date.

Access to Personal Data

You can find out if the LAA hold any personal data about you by making a Subject Access Request. More information on making a Subject Access Request is available online in the [MoJ's Information Charter](#).

To make a Subject Access Request please contact:
Disclosure Team, Post Point 10.25
Ministry of Justice
102 Petty France
London
SW1H 9AJ

Or email data.access@justice.gov.uk

Further Details

By contacting the MoJ Data Protection Officer you can get more details on:

- Asking the LAA to correct any mistakes;
- Agreements the LAA has with other organisations for information sharing;
- Circumstances where the LAA can pass on personal data without telling you;
- Instructions to LAA staff on how to collect, use and delete your personal data;
- Checking that the data we hold is accurate and up-to-date;
- Making a complaint about the LAA's use of your personal data; and
- Any other concerns about the use of your personal data.

Data Protection Officer
Ministry of Justice, Post Point 3.20
10 South Colonnades
Canary Wharf
London
E14 4PU

Or email privacy@justice.gov.uk

Cookies

The LAA maintains pages on gov.uk and operates the LAA Learning Portal Website. You can find details of how cookies are used on both sites when you visit each site.

Complaints

When the LAA asks you for information, the LAA will follow the data protection legislation. If you consider that your information has been handled incorrectly, you can contact the Information Commissioner for independent advice about data protection. You can contact the Information Commissioner at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113

Web: www.ico.org.uk