



## Privacy Policy

1. The Public Defender Service (PDS) is a department of the Legal Aid Agency (LAA), which is an Executive Agency of the Ministry of Justice (MOJ). The LAA has its own Information Charter which can be viewed at:  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/712008/LAA\\_Information\\_Charter.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/712008/LAA_Information_Charter.pdf)
2. The MoJ is the data controller for the personal data (or personal information) we hold.
3. The PDS is committed to ensuring your privacy and security. This policy sets out this commitment by the PDS; explains how and why we collect and process your personal data, which organisations we may need to share it with, and how you can contact us.
4. We collect and process client data as an essential part of our business. In doing so, we observe all aspects of data protection legislation, and are committed to protecting and respecting clients' privacy and rights. We will only collect information about you if we have a lawful reason for doing so and it is necessary for exercising our functions.
5. The lawful basis for the PDS collecting and processing your personal data is the result of the powers contained in the Legal Aid, Sentencing and Punishment of Offenders Act 2012. We collect and process personal data in the exercise of our public functions, which is to provide legal services including advice, assistance and representation in criminal matters in England and Wales.
6. Personal data is information that relates to living individuals who can be identified from the data. It does not include information relating to deceased people, groups or communities of people, organisations or business.
7. We may collect and process the following personal data:
  - Personal details;
  - Family, lifestyle and social circumstances;
  - Financial details;
  - Employment and education details;
  - Physical or mental health details;
  - Offences, including alleged offences;
  - Criminal, Civil and Family proceedings, outcomes, sentences and orders; and -  
Nationality and immigration status.



8. We also collect 'special categories of personal data' for the purposes of monitoring equality, this is a legal requirement for public authorities under the Equality Act 2010. Special categories of personal data obtained for equality monitoring will be treated with the strictest confidence and any information published will not identify you or anyone else associated with you.
9. Your data may be shared with:
  - The LAA and other public authorities such as HM Courts and Tribunals Service (HMCTS);
  - Other professional advisors such as external barristers, solicitors or experts who we may instruct to advise on your behalf or are who involved in your case;
  - Auditors or other regulatory bodies for audit, quality-control and other purposes; and
  - Organisations we use for storing information on our IT infrastructure which includes sharing information with data processors to provide email, document management and IT storage services.
10. We will ensure that the personal data that we hold is subject to appropriate security measures which is in line with the LAA's security policy. Our staff receive data protection training and we have a set of detailed data protection policies which they must follow when handling personal data.
11. We will hold your personal data in line with time frames set out in the LAA Record Retention and Deposition Schedule (LAA RRDS) which can be located at:  
<https://www.gov.uk/government/publications/record-retention-and-disposition-schedules>
12. You can find out if we hold any personal data about you by making a subject access request. See more information on making a subject access request at:  
<https://www.gov.uk/government/organisations/legal-aid-agency/about/personalinformation-charter>
13. You can get more details on:
  - How to ask us to correct any mistakes;
  - Agreements we have with other organisations for sharing information;
  - Circumstances where we can lawfully pass on your information without telling you or are required by law to pass on your information;
  - Our instructions to staff on how to collect, use or delete your personal information;
  - How we check that the information we hold is accurate and up-to-date; and -  
How to make a complaint.



Legal Aid  
Agency



14. For more information about the above, please contact the MOJ Data Protection Officer:

The Data Protection Officer  
Ministry of Justice  
102 Petty France  
London  
SW1H 9AJ  
[data.compliance@justice.gov.uk](mailto:data.compliance@justice.gov.uk)

If you are dissatisfied with how we are using your personal data then you can contact us using the contact email at the end of this notice.

You also have the right to complain to the Information Commissioner's Office (ICO) if you think that your personal data has been handled incorrectly. The ICO can also be contacted for independent advice about data protection.

Information Commissioner's Office  
Wycliffe House  
Walter Lance  
Wilmslow  
Cheshire  
SK9 5AF

Tel:03031231113

[www.ico.uk](http://www.ico.uk)

15. If you have any questions about our privacy policy or want to speak us about your rights, please email us on [pds.businesssteam@justice.gov.uk](mailto:pds.businesssteam@justice.gov.uk).