

Dear Legal Aid Practitioner

No doubt you have had a great deal of material sent you about the General Data Protection Regulation (GDPR) coming into force on 25 May 2018.

The ACL LAG committee have met and considered the position as regards our members. Whilst the committee cannot give exhaustive guidance, we feel it is prudent to flag up some considerations and sign-post to useful guidance available.

GDPR affects everyone and we must all ensure that we have an up to date Data Protection policy.

After due consideration by the committee, it appears that the effect of the legislation is going to be fact specific to each organisation whether a one-man operation or large company. Because of this, bespoke agreements are now being created and circulated widely and these should be considered carefully and whether there is any conflict with your own data protection arrangements (e.g. length of time you keep records containing personal data.

Practitioners should ensure that any agreement that they are asked to sign dovetails with their own policies particularly as to the length of time specified to hold onto data after cases are finished.

If you are still in the process of making the necessary enquiries and have not yet decided on policies to be adopted please see the helpful guidance notes published by:

- The ICO <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/>
- The Bar Council <http://www.barcouncilethics.co.uk/wp-content/uploads/2017/10/GDPR-BC-Guide-for-Barristers-and-Chambers-121017.pdf>
- The Law Society <http://www.lawsociety.org.uk/support-services/practice-management/gdpr-preparation/general-guidance-on-gdpr/>

The Legal Aid Agency contracts have been amended to accord with the GDPR:

#### Civil Contracts

[Contract amendments notice: 25 April 2018](#)

[Summary of amendments to the Standard Civil Contracts \(25 April 2018\)](#)

#### Crime Contracts

[Contract amendments notice: 25 April 2018](#)

[Summary of amendments to the Standard Crime Contracts \(25 April 2018\)](#)

These LAA documents are found on the [applicable contract pages](#) of the LAA website.

Kind regards

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