

General Data Protection Regulations

Messrs Freelands

Privacy Notice

Introduction

We are a law firm which provides a broad range of legal services to its clients. We are regulated by the Law Society of Scotland. For us to provide these legal services to you we require to collect and process your personal data, including any personal data which you provide to us directly, or when you use our website and any of the specific sections on our website, including making an online enquiry or when you contact us through our website. We require to collect and process personal data primarily for the purpose of the legal services we provide, but we may also collect personal data to market our legal services. We are committed to ensuring that any personal data, including special category personal data, which we collect and process is dealt with in compliance with data protection law. That includes currently the General Data Protection Regulation 2016/679, the Data Protection Act 2018, and all relevant EU and UK Data Protection Legislation.

Purpose

This guidance provides information on how we collect and process your personal data, and your rights in relation to the personal data which we hold.

Controller

We confirm that we are the data controller responsible for your personal data. The General Data Protection Regulations provide legal bases for the collection and processing of personal data, these being:-

- a) Consent – where you have given clear consent for us to process your personal data for a specific purpose.
- b) Contract – the processing is necessary for us to carry out the contract we have entered into with you for the provision of legal services.
- c) Legal obligation – the processing is necessary for us to comply with the law (not including contractual obligations).
- d) Vital interest – the processing is necessary to protect someone's life.
- e) Public task – the processing is necessary for us to perform a task in the public interest or to carry out official functions, and the task or function has a clear basis in law.
- f) Legitimate interests – the processing is necessary for legitimate interests or the legitimate interests of a third party unless there is a good reason to protect personal data which overrides those legitimate interests.

For us to provide legal services to you, and for us to comply with legal obligations incumbent upon us, including regulations relative to money laundering and proceeds of crime, we require to collect and process personal data from you. The personal data we require to collect and process may depend upon the legal services we are providing, and the matter in which we have been instructed by you, but will include usually your name, address, contact telephone numbers, email address, and evidence of identification to comply with regulations on money laundering and proceeds of crime. We may also require to obtain details relative to your employment, and personal and business finances. We may require in the course of the provision of legal services to you to disclose personal data to third parties including, but not limited to, the Courts, solicitors acting for other parties, other parties if not represented, lenders financing a transaction, the Registers of Scotland, financial advisors, HMRC, the Law Society of Scotland, the Scottish Legal Aid Board, medical practitioners and medical records offices, expert witnesses, Sheriff Officers, local agents, accountants, and other parties with a relevant interest to the matter in which we are acting for you.

Website – Third Party Links

Our website may contain links to third party websites or other websites of interest. If you choose to use these links and leave our website please note that we do not have any control over these third party websites or other websites. Accordingly we cannot be responsible for the protection and privacy of any information which you provide whilst visiting these third party websites or other websites. We confirm for the avoidance of doubt that any information which you provide while visiting these third party websites or other websites are not governed by this privacy policy or our data protection obligations. Should you choose to visit these third party websites or other websites, you should exercise care and caution and consider carefully the privacy policies applicable to these third party websites and other websites.

Cookies

Our website may use cookies to better understand the experience of clients and users visiting our website. Cookies are small files saved to your computer's hard drive that may track, save and store information about your use of our website. This may allow our website through its server to provide you with a more tailored experience in using the website. If you wish to deny the use and saving of cookies from our website onto your computer's hard drive you should take the necessary steps within your web browser's security settings to block all cookies from our website. If you wish to deny the use and saving of cookies from our website onto your computer's hard drive you can set your web browser to refuse all or some browser cookies, or to alert you when websites access cookies. If you disable or refuse cookies please note that some parts of our website may become inaccessible or not function properly.

Provision of Information via the Internet and Email

We cannot guarantee the safety and security of information provided by you to us through the internet or by email. Accordingly we cannot accept responsibility for the safety and security of personal data which you provide to us through the internet or by email, or personal data which may be disclosed in the course of any correspondence or communications we have with you through the internet or by email.

Social Media Usage

As a firm we may have profiles on social media platforms and you should verify the authenticity of any such profiles before engaging with or sharing information with such profiles. We confirm that as a firm we will never ask for user passwords or personal data on social media platforms. If you do wish to engage with us on social media platforms, you should conduct yourself appropriately when doing so. There may be instances when our website features social sharing links which help share web content directly from webpages to social media platforms. If you wish to use these links you should do so with care and caution and at your own discretion, and accept that doing so may publish content to your social media profile feed or page. We confirm for the avoidance of doubt that any information which you provide while visiting social media platforms are not governed by this privacy policy or our data protection obligations. Should you choose to visit these social media platforms, you should exercise care and caution and consider carefully the privacy policies applicable to these social media platforms.

Retention of Data

We will retain your personal data for no longer than is necessary. The time for which we require to retain your data will depend on various factors including the nature of the transaction, legal obligations incumbent upon us for retention of data, regulations incumbent upon us from relevant or statutory authorities, compliance with Law Society of Scotland Guidelines, and guidance issued by the data protection authorities.

Privacy Rights

We confirm that in certain circumstances you have rights under data protection law in relation to the personal data collected and processed in relation to you. These rights are as follows:-

- a) Right of access – you have the right to obtain access to your personal data and request a copy of it, so that you can check what personal data we hold for you and that we have collected and processed your personal data in accordance with data protection law.
- b) Right to rectification – you have the right to have the personal data we have collected and processed for you corrected if it is inaccurate or incomplete.
- c) Right to erasure – you have the right to request the deletion or removal of the personal data we have collected and processed for you. This may be subject to the factors governing the retention of data set out above.

- d) Right to restrict processing – you have the right in certain circumstances to request that we no longer use your personal data. Should you make such a request we will aim to comply with your request but compliance may be subject to the factors determining the retention of data set out above.
- e) Right to transfer – you have the right to request that we provide your personal data to you or a third party.
- f) Right to withdraw consent – if we are relying on consent as a basis for collecting and processing your personal data you may withdraw your consent at any time. This will not affect the lawfulness of any steps taken by us to collect and process your personal data prior to you withdrawing consent. If you do withdraw consent we may not be able to provide any ongoing legal services to you. If you withdraw consent we may still be required to process or disclose the personal data we have collected from you if we are legally required to do so.

If you wish to exercise any of these rights please contact us. We confirm that in usual circumstances you will not be required to pay a fee to exercise these rights. We reserve the right to charge a fee, or refuse to comply with any request you make, if such request or requests are manifestly unfounded or excessive.

Usually we will reply to your request or requests within one calendar month after receipt of your request or requests. We reserve the right to extend the deadline for a further two calendar months if the request or requests are complex or if a number of requests are received.

We reserve the right also prior to providing personal data to obtain from you evidence of your identity and any address or email address to which you request the personal data is sent. If you make a request or requests by email then our response will be given by email.

If you are dissatisfied with how we have handled any request or requests made by you in relation to your personal data, please contact us.

If you remain dissatisfied with our response to any enquiry or complaint you make you have the right to make a complaint to the Information Commissioner's Office:-

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

Telephone: 0303 123 1113
 Website: <https://ico.org.uk>

Scotland Regional Office:-
 Information Commissioner's Office
 45 Melville Street
 Edinburgh
 EH3 7HL

Telephone: 0303 123 1115
 Email: scotland@ico.org.uk