

## **Hamilton Ross Solicitors**

### **Privacy Notice**

**Effective Date: 25<sup>th</sup> May 2018**

Hamilton Ross Solicitors are committed to complying with the General Data Protection Regulation and the Data Protection Act 2018. Looking after the personal information you share with us is very important, and we want you to be confident that your personal data is processed safely and securely.

We have published this notice to help you understand:-

- how and why Hamilton Ross Solicitors collect information from you;
- who we share your information with, why and on what basis; and
- what your rights are.

If we make changes to this notice we will notify you by updating it on this page . Hamilton Ross Solicitors will be what is known as the ‘Data Controller’ of the personal data you provide to us, and we will sometimes refer to ourselves in this notice as “we” or “us”. By Data Controller, this means Hamilton Ross Solicitors determines the purposes and way in which any personal data are, or will be, processed.

Should you need to contact us:

Mark McGraw

18 Anderson Street, Airdrie, ML6 0AA

[reception@hamiltonross.co.uk](mailto:reception@hamiltonross.co.uk)

01236 627 627

This privacy notice was last updated on 23<sup>rd</sup> May 2018.

## **What information we collect when you agree to receive legal services from us?**

When you seek legal services from us, you are entering into a contract with us. We will need to open up a file for you so that you become a client of ours. To set this up we will ask you to provide some personal information such as;

- full name;
- address (and previous addresses);
- date of birth;
- contact numbers;
- email address; and
- identification documents

## **How do we use your information?**

Data Protection says that we are allowed to use and share your personal data only where we have a proper reason to do so. The law says we must have one or more of these reasons and these are:

- Contract - your personal information is processed in order to fulfil a contractual arrangement.
- Consent – where you agree to us using your information in this way
- Legitimate Interests - the processing is necessary for your legitimate interests or the legitimate interests of a third party unless there is a good reason to protect your personal data which overrides those legitimate interests.
- Legal Obligation – where there is statutory or other legal requirement to share the information.

Here is a list of the ways that we may use your personal information, and which of the reasons described above we rely on to do so.

<b>What personal information we store</b>	<b>Our reasons (legal basis)</b>
Name, address and contact details.	Fulfilment of contract.
Name, address and contact details of employees.	Fulfilment of a contract.
Bank details for client.	Fulfilment of a contract.
Identification documentation.	Legal obligation and legitimate interest.
Personal information.	Fulfilment of contract.
Information about third parties.	Fulfilment of contract.

### **Who we share your information with and why**

Hamilton Ross Solicitors works with a number of trusted professionals in order to provide you with legal advice and assistance. Some examples of the categories of professionals whom we share your data with are:-

- Court Department
- Solicitor for the other side
- Court expert witnesses and advisors
- Medical experts and consultants
- Court appointed reporters
- Party litigants
- The Scottish Legal Aid Board
- Crown Office and Procurator Fiscal Service
- and any other professional, body or organisation that will assist us with your legal advice and assistance.

### **Debt recovery and fraud prevention services**

Before we provide legal advice and assistance services to you, we undertake checks for the purposes of preventing fraud and money laundering, and to verify your identity. These checks require us to process personal data about you.

The personal data you have provided, or we have collected from you will be used to prevent fraud and money laundering, and to verify your identity.

Details of the personal information that will be processed include, for example: name, address, date of birth, contact details, financial information and employment details.

We and fraud prevention agencies may also enable law enforcement agencies to access and use your personal data to detect, investigate and prevent crime.

We process your personal data on the basis that we have a legitimate interest in preventing fraud and money laundering, and to verify identity, in order to protect our business and to comply with laws that apply to us. Such processing is also a contractual requirement of the services you have requested.

We process your personal data on the basis that it is necessary in the public interest or in exercising official authority for us to prevent fraud and money laundering, and to verify identity, in order to protect ourselves and to comply with laws that apply to us.

Fraud prevention agencies can hold your personal data for different periods of time, and if you are considered to pose a fraud or money laundering risk, your data can be held for up to six years.

#### Automated Decisions

As part of the processing of your personal data, decisions may be made by automated means. This means we may automatically decide that you pose a fraud or money laundering risk if our processing reveals your behaviour to be consistent with money laundering or known fraudulent conduct, or is inconsistent with your previous submissions, or you appear to have deliberately hidden your true identity. You have rights in relation to automated decision-making: if you want to know more please contact us using the details above.

#### Consequences of Processing

If we, or a fraud prevention agency, determine that you pose a fraud or money laundering risk, we may refuse to provide the services you have requested, or to employ you, or we may stop providing existing services to you.

A record of any fraud or money laundering risk will be retained by the fraud prevention agencies, and may result in others refusing to provide services, financing or employment to you. If you have any questions about this, please contact us on the details above.

### **Your Rights**

Your personal data is protected by legal rights, which include your rights to object to our processing of your personal data; request that your personal data is erased or corrected; request access to your personal data.

For more information or to exercise your data protection rights, please contact us using the contact details above. You also have a right to complain to the Information Commissioner's Office, which regulates the processing of personal data.

### **How long we keep your information**

If we collect your personal information, the length of time we retain it is determined by a number of factors including the purpose for which we use that information and our obligations under other laws.

Any personal data, including special category personal data, which Hamilton Ross Solicitors processes, is retained for no longer than is necessary for the purpose for which it was processed and is erased or disposed of in accordance with the law. Hamilton Ross Solicitors is committed to ensuring that all the personal data that it processes is done in accordance with data protection law. Hamilton Ross Solicitors ensures that good data protection practice is imbedded in the culture of our staff and our organisation.

Hamilton Ross Solicitors is a law firm that is regulated by the Law Society of Scotland. Hamilton Ross Solicitors' Data Retention Policy will be guided by the professional guidelines set out by the Law Society of Scotland. Hamilton Ross Solicitors will retain files in accordance with our Data Retention Policy.

## What are your rights

You are entitled to request the following from Hamilton Ross Solicitors, these are called your Data Subject Rights and there is more information on these on the Information Commissioners website [www.ico.org.uk](http://www.ico.org.uk)

- Right of access –to request access to your personal information and information about how we process it
- Right to rectification –to have your personal information corrected if it is inaccurate and to have incomplete personal information completed
- Right to erasure (also known as the Right to be Forgotten) – to have your personal information erased.
- Right to restriction of processing – to restrict processing of your personal information.
- Right to data portability - to electronically move, copy or transfer your personal information in a standard form.
- Right to object - to object to processing of your personal information.
- Rights with regards to automated individual decision making, including profiling –rights relating to automated decision making, including profiling.

If you have any general questions about your rights or want to exercise your rights please contact Mark McGraw

18 Anderson Street, Airdrie, ML6 0AA

[reception@hamiltonross.co.uk](mailto:reception@hamiltonross.co.uk)

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You have the right to lodge a complaint with a data protection regulator in Europe, in particular in a country you work or live or where your legal rights have been infringed. The contact details for the Information Commissioner's Office (ICO), the data protection regulator in the UK, are available on the ICO website [www.ico.org.uk](http://www.ico.org.uk) where your personal information has or is being used in a way that you believe does not comply with data, however, we encourage you to contact us before making any complaint and we will seek to resolve any issues or concerns you may have.

## Contact

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