

Hamilton Ross Solicitors

Data Retention Policy

Effective Date: 25th May 2018

This policy sets out Hamilton Ross Solicitors' commitment to ensuring that 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 we will erase or dispose of data 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 the following manner:-

Divorce and consistorial matters

Five years after final completion, e.g. after maintenance, residence and contact orders, etc., have ceased to have effect, or children have reached majority.

Civil court cases

Ten years after completion.

Criminal cases

Murder and other cases involving disposal by way of life imprisonment. The papers should be retained indefinitely.

Solemn cases

Files should be kept for the duration of the sentence if more than three years.

Summary cases

The papers should be retained for three years. A copy of the complaint or indictment and a copy of the legal aid certificate should be kept indefinitely.

Conveyancing transactions

Purchase: Ten years after completion-although the file may be of use until the property is subsequently disposed of.

Sale: One year later after completion (i.e. after implementing Letter of Obligation; dealing with any funds retained; and after Missives have ceased to have effect).

Other correspondence files

Five years after completion of the business.

Financial records

Will be retained in accordance with the Law Society of Scotland's Rule B6: Accounts, Accounts Certificates, Professional Practice and Guarantee Fund.

Money laundering

Will be retained in accordance with Regulation 19 of The Money Laundering Regulations 2007.