

Privacy notice

What we need

Carruthers Curdie Sturrock & Co (CCS-Solicitors) will be a "controller" of the personal information that you provide to us when you instruct us to act on your behalf or submit an enquiry to us via our website, email or telephone, unless otherwise stated in this privacy notice.

When you become a client of CCS-Solicitors, we will collect, store and use the personal information that you provide to us in your instructions and during the course of our solicitor / client relationship. We may ask you for additional personal information during the course of our client / solicitor relationship, which shall be collected, stored and used in accordance with this privacy notice.

When we are instructed to act in relation to an estate of which you are a beneficiary we will receive your name, address and date of birth (where you are under or around any age which is relevant to your entitlement) from the executor of the relevant estate and your bank account details from you where payments are not made by cheque. Although there is no solicitor / client relationship between us (our client is the executor), your personal information will be treated and protected in the same way as it would be for a client.

Why we need your personal information – contractual purposes

We need to collect our clients' personal information so that we can perform our terms of engagement. We will use our clients' personal information to:

- provide our clients with legal advice, including communication by email, letter and/or telephone;
- represent our clients as solicitors in connection with conveyancing, trust, executry, court and other analogous matters where legal representation is instructed;
- respond to and communicate with our clients and any third parties with a legal interest in the matter we are instructed to deal with;
- communicate with you about any questions, comments, support needs, complaints or concerns; and
- communicate with you and any relevant regulatory authority with a legal interest in the subject matter of the work we are instructed to carry out or any complaint or claim arising from this.

If you do not provide us with all of the personal information that we need to collect then this may affect our ability to provide you with legal advice and / or represent you as your solicitors.

Why we need your personal information – legal obligations

We are under a legal obligation to process certain personal information relating to our clients for the purposes of complying with our obligations under:

- the Law Society of Scotland requirements for solicitors to retain client records. In particular, we are under an obligation not to dispose of principal copies of wills or title deeds without instructions; and
- the Money Laundering, Terrorist Financing and Transfer of Funds (Information of the Payer) Regulations 2017, which require us to apply customer due diligence measures involving verifying the identity of our clients and may also apply to any third parties introduced by clients to transactions, including beneficiaries.

Other uses of your personal information

We may ask you if we can process your personal information for additional purposes. Where we do so, we will provide you with an additional privacy notice with information on how we will use your information for these additional purposes.

Who we share your personal information with

We may be required to share personal information with statutory or regulatory authorities and organisations to comply with statutory obligations. Such organisations include the Law Society of Scotland for the purposes of meeting our regulatory requirements as solicitors.

We may also share personal data with our professional advisors, including our insurers, for the purposes of taking advice or dealing with any claims, and financial institutions (such as banks and mortgage lenders) regarding instructions to transfer assets directly to our clients and beneficiaries or to constitute security for loans.

CCS-Solicitors employs third party suppliers to provide services, including IT systems, and local agents who we instruct to conduct litigation on our behalf. These suppliers may process personal data on our behalf as "processors" and are subject to written contractual conditions to only process that personal data under our instructions and protect it.

In the event that we do share personal data with external third parties, we will only share such personal data strictly required for the specific purposes and take reasonable steps to ensure that recipients shall only process the disclosed personal data in accordance with those purposes.

How we protect your personal information

Your personal information is stored both in writing and electronically on our servers based in the EU and is accessed by our staff for the purposes set out above.

How long we keep your personal information

We will retain your personal information for as long as is required to comply with our obligations set out above.

We will retain principal documents held on your behalf, such as your will or title deeds until you instruct us to destroy it/them or return it/them to you or send it/them to another solicitor.

Following conclusion of a transaction or if we no longer act for you, we will retain your personal information within our files in accordance with the Law Society of Scotland's guidelines and requirements, which will vary depending on the nature of the transaction. This is in line with our data retention policy.

Your rights

You can exercise any of the following rights by writing to us at Data Protection Compliance Partner, Carruthers Curdie Sturrock & Co, 1 Howard Street, Kilmarnock, KA1 2BW or emailing us at mail@carrutherscurdiesturrock.co.uk.

Your rights in relation to your personal information are:

- you have a right to request access to the personal information that we hold about you by making a "subject access request";
- if you believe that any of your personal information is inaccurate or incomplete, you have a right to request that we correct or complete your personal information;
- you have a right to object to and request that we restrict the processing of your personal information for specific purposes; and

- if you wish us to delete your personal information, you may request that we do so.

Any requests received by CCS-Solicitors will be considered under applicable data protection legislation. If you remain dissatisfied, you have a right to raise a complaint with the Information Commissioner's Office at www.ico.org.uk