

Privacy policy

Patience & Buchan is a Partnership, providing legal advice and assistance to its clients. It is regulated by the Law Society of Scotland.

Our Privacy Policy sets out important information about what personal data we collect; what we do with that information; who we may share it with and why; and your choices and rights when it comes to the personal information you have given us.

This policy may be updated from time to time.

About us

Patience & Buchan is a Partnership, providing legal advice and assistance to its clients. It is regulated by the Law Society of Scotland. We are based at 10 Golden Square, Aberdeen, AB10 1RB.

How to contact us

If you have any questions about our Privacy Policy or the information we collect or use about you, please contact:

FAO Ashley Simpson

Data Protection Partner

Patience and Buchan

10 Golden Square

Aberdeen

AB10 1RB

Email: ashley@patienceandbuchan.com

Tel: 01224 648222

The information we collect and use

Our Privacy Policy, explains how and why we collect personal information about you. We are committed to responsible management of personal information in accordance with the EU General Data Protection regulations and Data Protection Act 2018.

In order to receive information about our services and to receive the provision of legal advice, you will be asked to provide personal information about yourself such as your name, address and email address. When you provide this information to us, you consent to our use of that information in accordance with the terms of this Privacy Policy. This information will be used to provide you with the services that you have requested.

During the course of providing you with legal service we will collect and process further information about you. This information may include:

- Information about who you are – for example, your name, address, date of birth and contact details
- Information connected to your financial affairs –for example, your bank account, National insurance, pensions, shares, investments, property ownership and outstanding debts

- Information about your contact with us –for example, meetings, phone calls, emails/letters
- Information if you visit one of our offices – for example a record in our visitors log book
- Information classified as 'sensitive' personal information – for example, relating to your health, marital or civil partnership status. This information will only be collected and used where it's needed to provide the product or services you have requested or to comply with our legal obligations
- Information you may provide us about other people – for example former partners/spouses, children, other family members, beneficiaries, executors or attorneys

We are committed to processing your data in a lawful, fair and transparent manner.

Where we collect your information

We may collect your personal information directly from you, from a variety of sources, including:

- client information form
- phone conversation with us
- emails or letters you send to us
- meetings with one of our solicitors, paralegals or other member of staff
- information provided by an opponent or their agent
- information provided by a potential witness
- information provided by a third party with your consent for example when requesting asset valuations

We take your privacy seriously and we will only ever collect and use information which is personal to you where it is necessary, fair and lawful to do so. We will collect and use your information only where:

- you have given us your consent to send your information to a third party you have chosen to work with
- it's necessary to provide the advice or service you have requested – for example to progress matters it is likely that information will require to be shared with the opponent/their agent or with a court
- it's necessary for us to meet our legal or regulatory obligations – for example to tell you about changes to Terms and Conditions or for the detection and prevention of fraud and anti-money laundering
- it's in the legitimate interests of Patience & Buchan – for example to deliver appropriate information and guidance so you are aware of the options that will help you get the best outcome or services;
- we may use your personal information to secure payment of outstanding fees due to us in connection with advise or services provided
- to check for conflicts of interest

If you do not wish us to collect and use your personal information in these ways, it may mean that we will be unable to provide you with our products and services.

Who we may share your information with

We may share your information with third parties for the reasons outlined in 'What we collect and use your information for'

These third parties include:

- The Court or a Tribunal
- Counsel
- Companies we have chosen to support us in the delivery of the advice and services we offer to you for example, financial advisors, actuaries or accountants
- Our regulators and any Supervisory Authority – for example the Law Society of Scotland, Scottish Legal Complaints Commission, law enforcement, credit and identity check agencies for the prevention and detection of crime
- HM Revenue & Customs (HMRC) or the National Crime Agency (NCA) - for the prevention of tax avoidance
- Scottish Legal Aid Board- for the purposes of making or opposing an application

We will never sell your details to someone else. Whenever we share your personal information, we will do so in line with our obligations to keep your information safe and secure.

Where information is processed

The majority of your information is processed in the UK and European Economic Area (EEA)

How do we protect your information?

We take information and system security very seriously and we strive to comply with our obligations at all times. Any personal information which is collected, recorded or used in any way, whether on paper, online or any other media, will have appropriate safeguards applied in line with our data protection obligations.

Your information is protected by controls designed to minimise loss or damage through accident, negligence or deliberate actions. Our employees also protect sensitive or confidential information when storing or transmitting information electronically and must undertake annual training on this.

Our security controls are aligned to industry standards and good practice; providing a controlled environment that effectively manages risks to the confidentiality, integrity and availability of your information.

How long we keep your information

We will keep your personal information where it is necessary to provide you with our advice or services while you are a client. Thereafter we will retain information where required to meet our legal or regulatory obligations. The length of time we keep your information for these purposes is contained in our Terms of Business.

Your name and address may be retained thereafter for the purpose of checking for conflicts of interest

Your individual rights

You have the following rights in relation to your data with Patience & Buchan. They are:

Right to information

You have a right to receive clear and easy to understand information on what personal information we have, why and who we share it with - we do this in this Privacy Policy and any privacy notices.

Right of access

You have the right of access to your personal information. If you wish to receive a copy of the personal information we hold on you, you may make a Data Subject Access Request (DSAR).

Right to request that your personal information be rectified

If your personal information is inaccurate or incomplete, you can request that it is corrected.

Right to erasure

You can ask for your information to be deleted or removed if there is not a compelling reason for Patience & Buchan to retain it.

Right to restrict processing

You can ask that we block or suppress the processing of your personal information for certain reasons. This means that we are still permitted to keep your information - but only to ensure we don't use it for those reasons you have restricted. These reasons include;

- if the accuracy of the personal data is being contested, or
- if our processing is unlawful but the data subject does not want it erased, or
- if the data is no longer needed for the purpose of the processing but it is required by the data subject for the establishment, exercise or defence of legal claims, or
- if the data subject has objected to the processing, pending verification of that objection

Right to data portability

You can ask for a copy of your personal information for your own purposes to use across different services. In certain circumstances, you may move, copy or transfer the personal information we hold to another company in a safe and secure way. For example if you were transferring your business to another Firm.

Right to object

You can object to Patience & Buchan processing your personal information where the basis for processing is our legitimate interests.

How to make a complaint

We will always strive to collect, use and safeguard your personal information in line with data protection laws. If you do not believe we have handled your information as set out in our Privacy Policy, please raise your concerns in writing with our Data Protection Partner, Ashley Simpson, Patience & Buchan, 10 Golden Square, Aberdeen, AB10 1RB

Your complaint will be acknowledged within five working days and normally, after a full investigation, you will receive a detailed response within a further ten working days.