

TURCAN CONNELL

PRIVACY NOTICE

The Data Protection Act 2018 regulates the way in which we hold and processes personal data. Personal Data means any information relating to an identified or identifiable natural person.

Turcan Connell ('we', 'our', 'us', 'the Firm') is committed to protecting your personal data and your privacy.

We are a 'data controller'. This means that we are responsible for deciding how we hold and use personal information.

This Privacy Notice sets out the basis on which any personal data that you provide to us or that we obtain from a third party will be processed by us. Please read the following carefully to understand our practices regarding your personal data and how we will treat it.

Although this privacy notice is directed at clients any personal information obtained about a third party will be subject to the same level of data protection and processed in accordance with applicable regulations.

THE PERSONAL DATA WE PROCESS

As a client of Turcan Connell, and for as long as is necessary following the end of your relationship with us, the Firm will need to process data about you for purposes connected with providing legal services to you.

Processing includes the collection, storage, retrieval, alteration, disclosure, or destruction of data.

We process some or all of the following categories of personal information:

- **Identity data** including name, nationality, marital status, title, date of birth, gender, National Insurance number and photographic identification.
- **Contact data** including home and/or business addresses, email addresses and telephone numbers.
- **Client and Matter data** including information obtained by providing legal services to you, details about services provided by us to you, details of payments to and from you, and other details of our interactions including correspondence and conversations.
- **Financial data** including bank account details, income and outgoings and assets and liabilities.

- **Marketing data** including your preferences in receiving marketing from us and your communication preferences.
- **Special Categories of Personal Data** includes information about racial or ethnic origin, health, sexual orientation or sex life, political, philosophical or religious beliefs, trade union membership and genetic or biometric data.

We may also require information on others such as your spouse/partner or dependants where this is relevant.

HOW WE OBTAIN PERSONAL DATA

The majority of the data we obtain will be received directly from you or your representative when we provide legal services to you and may be obtained in various ways including correspondence, telephone calls, meetings and the provision of documentation.

We may obtain data from publicly available sources including companies house, charity regulators and other public registers.

We may also obtain information from third parties including:

- Businesses that refer you to us.
- Other professional advisors.
- Courts and tribunals.
- Title and search agents.
- Anti-Money Laundering verification software providers.

HOW WE USE PERSONAL DATA

The main reason we process your personal data is to be able to provide you with legal services as instructed by you.

Personal data will be processed by us where you consent to the processing or where that processing is necessary for:

- The performance of a contract with you.
- Compliance with a legal obligation to which we are subject.
- The purposes of our legitimate interests.

The table below provides further information on the ways in which we will process your data and the legal basis for doing so.

Reason	Legal Basis
To provide you with legal and company secretarial services	Performance of a contract
To manage our ongoing relationship with you including provision of service, collection of fees, responding to complaints and notifying you of changes to terms	Performance of a contract
To carry out identity address and source of wealth checks for anti-money laundering purposes	Legal obligation
To comply with regulatory reporting obligations	Legal obligation
For marketing purposes	Your consent, which you have the right to withdraw at any time.

We may also process personal data on the legal basis of Legitimate Interests to link the work that we do across different practice areas, improve and develop our services and to manage our business as a whole. You have the right to object to us processing your personal data on the lawful basis of Legitimate Interests, but to do so may mean that we are unable to provide services to you.

WHO DO WE SHARE PERSONAL DATA WITH

We may share your data with third parties. Data is only shared where we are legally obliged to do so, where it is necessary to provide services to you or where it is in our legitimate interests to do so. Data is not shared outwith Turcan Connell for marketing purposes. Where data is shared, we require all third parties to respect the security of your data and to treat it in accordance with the law.

The third parties we may share with are:

- Other parties to any transaction or legal matter on which we are acting for you.
- Our system providers
- Any relevant regulatory authority or government authority
- the police and any other law enforcement agency
- public registers and public information resources, such as Companies House or Registers of Scotland

FAILURE TO PROVIDE DATA

In some cases, a failure to provide information when requested may delay our provision of legal or other services to you and in other cases, we may be unable to act for you or may have to withdraw from acting.

Where we need to collect personal data by law, for example to carry out anti-money laundering checks, and you fail to provide that data when requested, we may not be able to perform the contract we have entered into with you.

HOW LONG DO WE RETAIN PERSONAL DATA

We retain all correspondence files, documents and other papers, whether in electronic or in hard copy, for at least 20 years.

Where we receive a mandate requesting transfer of your files as held by us, or a request from you for a copy of your files, this provision does not delete data from our system. As set out above, it is our policy to retain files for at least 20 years.

We will hold any information supplied by you in connection with verification of identity or source of wealth for the purposes of compliance with legislation and our regulatory requirements, including the Regulations, for a period of not less than 5 (but not exceeding 10) years following the end of our business relationship.

In line with the current Law Society of Scotland guidance for the notarial execution of documents using video technology, if practicable and with your consent, we may require to record the video conference used for this purpose and to retain that recording for a period of 10 years.

We may keep records of complaints and claims indefinitely. Principle legal documents including wills, deeds and powers of attorney may also be kept indefinitely.

YOUR RIGHTS

Your personal data is protected by legal rights, these are set out below:

- **Be informed** - this Privacy Statement is one of the ways in which we make sure you are informed about the data we hold and how it is processed.
- **Access** - you have the right to access the information we hold about you; this is known as a subject access request.
- **Rectification** – you have the right to have inaccurate personal data rectified or completed if it is incomplete. This request can be made orally or in writing.
- **Erasure** – you have the right to request the erasure of data we hold about you. However, we can only do this where to do so would not breach our legal obligations.
- **Restrict processing** - This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.

- **Data portability** – On receipt of a mandate we will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format.
- **Object** – You can Object to processing of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Automated decision making and profiling** - We do not use automated tools to profile our clients.

HOW TO CONTACT US

We have appointed a data controller to oversee compliance with this policy. If you have any questions about this policy including any requests to exercise your legal rights, please contact our data controller using the details set out below:

By post: Data Controller, Turcan Connell, Princes Exchange, 1 Earl Grey Street, Edinburgh, EH3 9EE

By email: datacontroller@turcanconnell.com

COMPLAINTS

If you have any concerns over how we use your data, please contact our Data Controller in the first instance. If you are not satisfied, we have adequately addressed your concerns you have the right to lodge a complaint with the ICO. Their contact details are below:

The Information Commissioner's Office – Scotland

45 Melville Street

Edinburgh

EH3 7HL

Telephone: 0303 123 1115

Email: Scotland@ico.org.uk