

BARTON and HENDRY Privacy Notice

BACKGROUND:

Barton and Hendry Solicitors understand that your privacy is important to you and that you care about how your personal data is used. We respect and value the privacy of all of our clients and will only collect and use personal data in ways that are described here, and in a way that is consistent with our obligations and your rights under the law.

1. Information About Us

Barton and Hendry Solicitors Notaries and Estate Agents.

Sole Trader Scotland

Registered address: Fleming House Tryst Road Cumbernauld G67 1JW.

Main trading address: Fleming House Tryst Road Cumbernauld G67 1JW

VAT number: 361 3653 62

Data Protection Officer: Eric J Barton.

Email address: eric@bartonandhendry.co.uk.

Telephone number: 01236 735466.

Postal Address: Fleming House Tryst Road Cumbernauld G67 1JW.

We are regulated by The Law Society of Scotland.

2. What Does This Notice Cover?

This Privacy Information explains how we use your personal data: how it is collected, how it is held, and how it is processed. It also explains your rights under the law relating to your personal data.

3. What is Personal Data?

Personal data is defined by the General Data Protection Regulation (EU Regulation 2016/679) (the "GDPR") as 'any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier'.

Personal data is, in simpler terms, any information about you that enables you to be identified. Personal data covers obvious information such as your name and contact details, but it also covers less obvious information such as identification numbers, electronic location data, and other online identifiers.

The personal data that we use is set out in Part 5, below.

4. What Are My Rights?

Under the GDPR, you have the following rights, which we will always work to uphold:

- a) The right to be informed about our collection and use of your personal data. This Privacy Notice should tell you everything you need to know, but you can always contact us to find out more or to ask any questions using the details in Part 11.
- b) The right to access the personal data we hold about you. Part 10 will tell you how to do this.
- c) The right to have your personal data rectified if any of your personal data held

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by us is inaccurate or incomplete. Please contact us using the details in Part 11 to find out more.

- d) The right to be forgotten, i.e. the right to ask us to delete or otherwise dispose of any of your personal data that we have. Please contact us using the details in Part 11 to find out more.
- e) The right to restrict (i.e. prevent) the processing of your personal data.
- f) The right to object to us using your personal data for a particular purpose or purposes.
- g) The right to data portability. This means that, if you have provided personal data to us directly, we are using it with your consent or for the performance of a contract, and that data is processed using automated means, you can ask us for a copy of that personal data to re-use with another service or business in many cases.
- h) Rights relating to automated decision-making and profiling. we do not use your personal data in this way. For more information about our use of your personal data or exercising your rights as outlined above, please contact us using the details provided in Part 11.

Further information about your rights can also be obtained from the Information Commissioner's Office or your local Citizens Advice Bureau.

If you have any cause for complaint about our use of your personal data, you have the right to lodge a complaint with the Information Commissioner's Office.

5. What Personal Data Do You Collect?

We may collect some or all of the following personal data (this may vary according to your relationship with us):

- Name;
- Date of birth;
- Gender;
- Address;
- Email address;
- Telephone number;
- Business name;
- Job title;
- Profession;
- Payment information;
- Information about your preferences and interests;
- Bank Details

6. How Do You Use My Personal Data?

Under the GDPR, we must always have a lawful basis for using personal data. This may be because the data is necessary for our performance of a legal matter with you,

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because you have consented to our use of your personal data, or because it is in our legitimate business interests to use it. Your personal data may be used for one of the following purposes:

- Providing and managing your account.
 - Supplying our services to you. Your personal details are required in order for us to enter into a contract with you.
 - Personalising and tailoring our services for you.
 - Communicating with you. This may include responding to emails or calls from you.
- a) Supplying you with information by email and by post that you have opted-in to (you may unsubscribe or opt-out at any time by contacting us using the details provided in Part 11).

With your permission and/or where permitted by law, we may also use your personal data for marketing purposes, which may include contacting you by email and or telephone and or text message and or post with information, news, and offers on our services. You will not be sent any unlawful marketing or spam. We will always work to fully protect your rights and comply with our obligations under the GDPR and the Privacy and Electronic Communications (EC Directive) Regulations 2003, and you will always have the opportunity to opt-out.

7. How Long Will You Keep My Personal Data?

We will not keep your personal data for any longer than is necessary in light of the reason(s) for which it was first collected. Your personal data will therefore be kept for the following periods (or, where there is no fixed period, the following factors may be used to determine how long it is kept):

- **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.
- **Executries**
Ten years after completion although an executry may never be complete. Relevant documents and papers may be required to be returned by the firm or might be sent to the Executor for safekeeping since prior rights and legal rights only prescribe if not claimed in 20 years after becoming enforceable.
- **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).
- **Company** **Work**
Ten years after completion.

8. How and Where Do You Store or Transfer My Personal Data?

We will only store or transfer your personal data in the UK. This means that it will be fully protected under the GDPR.

The security of your personal data is essential to us, and to protect your data, we take a number of important measures, including the following:

- Data is processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures
- Cyber security is out sourced to a team of experts.
- Inhouse technical support is monitored by essential process.
 - Secured Internet connection
 - Secured devices and software
 - Controlled access to data and services
 - Protection from viruses and other malware
 - Keeping devices and software up to date.

9. Do You Share My Personal Data?

We will not share any of your personal data with any third parties for any purposes, subject to one important exception.

In some limited circumstances, we may be legally required to share certain personal data, which might include yours, if we are involved in legal proceedings or complying with legal obligations, a court order, or the instructions of a government authority.

10. How Can I Access My Personal Data?

If you want to know what personal data we have about you, you can ask us for details of that personal data and for a copy of it (where any such personal data is held). This is known as a “subject access request”.

All subject access requests should be made in writing and sent to the email or postal addresses shown in Part 11. To make this as easy as possible for you, a Subject Access Request Form is available for you to use on request. You do not have to use this form, but it is the easiest way to tell us everything we need to know to respond to your request as quickly as possible.

There is not normally any charge for a subject access request. If your request is ‘manifestly unfounded or excessive’ (for example, if you make repetitive requests) a fee may be charged to cover our administrative costs in responding.

We will respond to your subject access request normally within Fourteen days and not more than one month of receiving it. Normally, we aim to provide a complete response,

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including a copy of your personal data within that time. In some cases, however, particularly if your request is more complex, more time may be required up to a maximum of three months from the date we receive your request. You will be kept fully informed of our progress.

11. **How Do I Contact You?**

To contact us about anything to do with your personal data and data protection, including to make a subject access request, please use the following details (for the attention of the Data Protection Officer):

Email address: Eric@bartonandhendry.co.uk.

Telephone number: 01236 735466.

Postal Address: Fleming House Tryst Road Cumbernauld G67 1JW.

12. **Changes to this Privacy Notice**

We may change this Privacy Notice from time to time. This may be necessary, for example, if the law changes, or if we change our business in a way that affects personal data protection.

Any changes will be made available on our website www.bartonandhendry.co.uk.