

We are the law firm of Kerr Stirling and have our principal place of business at 10 Albert Place, Stirling FK8 2QL. We also have an office at Benview, 19 Wellside Place, Falkirk FK1 5RP where we trade as Gibson & Kennedy. You can contact us at: 10 Albert Place, Stirling FK8 2QL by phone on 01786 463 414 or by email enquiries@kerrstirling.co.uk

Our Undertaking to you

In this Privacy Statement we will tell you how we collect and use your data. We will use it to look after your interests in the best way we can and to ensure that we can properly act on your behalf. We will make sure we collect and store your data securely.

If you're a client of the firm:

We collect your data from you. This is either face to face, over the phone, email, letter or text. Sometimes we received your personal data from third parties who refer you to us.

If you're a client of another law firm:

We will receive your personal data from your solicitor.

If you are not a client of our firm but sign up to our Newsletter or make an enquiry using our online contact form:

We will receive your personal data from you when you complete an online signup or contact form.

Data we receive from third parties

We will also receive and process personal data of third parties for whom we neither act nor have any connection with. This can belong to the defender or witness in a court case, the beneficiary in a Will or Executory case or the other party in an accident case. These are examples of where we might receive and process personal data which does not belong to our clients. This list is not exhaustive and we will receive and process personal data from a wide range of third parties.

The types of personal data we collect

We collect name and contact details including your postal address, telephone numbers and email addresses. We collect identification information from you.

If you are a client, we collect additional personal data as is necessary to properly represent you and carry out your lawful instructions to us. This can include personal and business financial information, health and medical information, information on your family members and their circumstances.

What we will do with your personal data?

We will use your personal data to act on your behalf in the matter or matters you have instructed us in. These are set out in the Terms of Business we have sent to you.

We will also be in touch with you from time to time to explain other services we can provide that may be relevant to your circumstances and inform you about changes in the law that might impact on you, your family, your business or your employment or which otherwise may affect you. If you do not wish to receive such communications, please let us know and you will be excluded from receiving them.

Where you are not a client, we will process your data for the purpose of carrying out our client's instructions in a transaction or case in which we're acting.

If you are not a client and have signed up to receive our eNewsletter, we will use your personal data to send you our eNewsletter. If you have made an enquiry using the contact form on our website, we will use your personal data to answer your query.

You have the following rights in relation to your personal data:

You have the following rights:

- Access to the personal data we hold about you, free of charge in most cases;
- The correction of your personal data when incorrect, out of date or incomplete;
- Object to the processing of your personal data where we have no legitimate overriding interest, or once the purpose for which we hold the data has come to an end;
- That we stop using your personal data for direct marketing;
- That we stop any consent-based processing of your personal data after you withdraw that consent.
- To ask us to delete or erase your personal data (subject to our Terms of Business in the case of clients)

To protect the confidentiality of your information, we will ask you to verify your identity before proceeding with any request you make under this Privacy Notice. If you have authorised a third party to submit a request on your behalf, we will ask them to prove they have your permission to act.

What is our Complaints Procedure?

Our complaints procedure in respect of any legal work we carry out on your behalf is stated in our Terms of Business letter to you. If you are not a client of the firm, you should write to us at the contact address shown at the beginning of this Privacy Statement.

If you are unsatisfied with the manner in which we have dealt with any complaint relating to your personal data, you are entitled to ask the Information Commissioner to investigate. You will find information on how to raise a concern with the Information Commissioner on their website by clicking this link: <https://ico.org.uk/concerns/> If you do not have Internet Access, you can call the Information Commissioner by telephoning 0303 123 1113.

On what basis are we processing your personal data?

Where you are a client

Our Lawful Basis for Processing your personal data is based on the Contract we have with you as set out in our Terms of Business letter to you.

Where you are not a client of the firm and have signed up for our Newsletter and other marketing materials or have completed the enquiry form on our website

Our Lawful Basis for Processing your personal data is your Consent which can be withdrawn at any time after which you will receive no further communications from us.

If another solicitor or organisation acting for you has provided your personal data in the course of a transaction with us on behalf of a client for whom we act.

Our Lawful Basis for Processing your personal data is the Legitimate Interests of this firm and its clients to properly and lawfully represent our clients' interests. This Lawful Basis for Processing also applied to personal data of individuals who have no connection with our firm where our clients instruct us to carry out such processing. Examples of such individuals are beneficiaries named in a Will, the Defendant who we are instructed to sue, or a witness in a court action. This list is not exhaustive and there are many other instances where we will be required to process personal data as instructed by our clients.

If we are acting as a Processor of your personal information

Our Lawful Basis for Processing your personal data is based on the contract we have with the Data Controller who asked us to deal with your transaction, case or business and you should look to their Privacy Statement to determine their Lawful Basis for Processing your personal data. We do not currently act as a third party data processor.

Measures in place to ensure the protection of any Children's or Special Category of data held

We ensure any children's or special category of data we hold are properly stored in our access controlled data store on our Network and in our firm's Practice Management systems which, again, can only be accessed through a secure username and password.

Any data of this nature held in paper files, is held in secure filing cabinets within our offices which are locked [and alarmed] when unoccupied.

This data is only accessed by solicitors and staff members within our firm and no access is available to third parties in respect of this data.

Personal data processed by third parties on our behalf

Your personal data will be processed by third parties with whom we are required to deal with when acting properly and lawfully for you. Examples of such parties are professional searchers, our IT support company and our practice management system support desk, our file store for closed files, our secure shredding company and law accountants who carry out fee assessment work for us. This list is not exhaustive and the third parties we deal with change from time to time. Where any third parties are engaged by us to process your personal data, the third party will be subject to a GDPR compliant data processing contract.

We are regulated by The Law Society of Scotland and they have a right of access to our books and records to carry out regulatory inspections. They may remove personal data from our premises and systems in order to carry out regulatory checks.

Our eNewsletter and other email marketing activities are managed by Client Communications Ltd. You can view their Privacy Statement here: <http://www.clientcommunications.co.uk/privacy-policy/>

Client Communications Ltd. uses The Rocket Science Group LLC, of the State of Georgia, USA, trading as MailChimp to process the data for our eNewsletter and email marketing campaigns. MailChimp has certified its agreement to the EU-US Privacy Shield Framework. You can view its Privacy Policy here: <https://mailchimp.com/legal/privacy/>

We gather statistics around email opening and clicks using industry standard technologies including clear gifs to help us monitor and improve our e-newsletter.

Our Data Retention Policy

Where you are a client

We will retain your data in accordance with our current data retention policy. This is set out in our Terms of Business we sent to you.

Where you are not a client

If you are not a client and have signed up to our eNewsletter, you can unsubscribe at any time and ask us to delete any data we hold at any time. If you have completed the contact form on our website, you can ask us to delete any data we hold at any time.

If you are a third party

We will retain your data in accordance with our client's instructions and any data retained within our digital or paper filing system or storage will be subject to our data retention policy.

This Privacy Statement was prepared on 2 May 2018