

Introduction

Kathleen Stewart W.S. respects your privacy and is committed to protecting your personal data.

1. Important information and who we are

Purpose of this privacy policy

This privacy policy aims to give you information on how Kathleen Stewart W.S. (referred to as "we", "us" or "our" in this policy) collects and processes your personal data.

It is important that you read this privacy policy together with any other privacy policy or fair processing policy we may provide on specific occasions when we are collecting or processing personal data about you. This privacy policy supplements other notices and privacy policies, and is not intended to override them.

Controller

Kathleen Stewart W.S. is the controller and responsible for your personal data.

If you have any questions about this privacy policy, including any requests to exercise your legal rights, please contact us using the details set out below.

Contact details

Name: Kathleen Stewart W.S.

Email address: info@katws.co.uk

Postal address: 13 Alva Street, Edinburgh EH2 4PH

Telephone number: 0131 225 8001.

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO, so please contact us in the first instance.

Changes to the privacy policy and your duty to inform us of changes

We keep our privacy policy under regular review.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

2. The data we collect about you

Personal data means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

- **Identity Data** includes first name, last name, business/profession, marital status, title, date of birth and gender.

- **Contact Data** includes invoice address, email address and telephone numbers.
- **Financial Data** includes bank account details and information about your financial position.
- **Transaction Data** includes details about payments to and from you and other details of services for which you have paid us.
- **Usage Data** includes information about how you use our services.
- **Communications Data** includes your preferences in receiving email notifications from us and your communication preferences.

We do not collect any **Special Categories of Personal Data** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health, and genetic and biometric data).

If you fail to provide personal data

Where we need to collect personal data by law, or under the terms of a contract we have with you, and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you.

3. How is your personal data collected?

We use different methods to collect data from and about you including through:

- **Direct interactions.** You may give us your Identity, Contact and Financial Data by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you instruct us for services:
- **Third parties or publicly available sources.** We will receive personal data about you from various third parties and public sources.

4. How we use your personal data

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract we are about to enter into or have entered into with you.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal obligation.

Generally, we do not rely on consent as a legal basis for processing your personal data. You have the right to opt out of receiving marketing communications from us at any time by contacting us.

Purposes for which we will use your personal data

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data.

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
To provide you with legal services and carry out our legal obligations to you	Identity, Contact, Usage, Communications	Performance of a contract with you
To manage payments, fees and charges and collect and recover money owed to us	Identity, Contact, Financial, Transaction, Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to recover debts due to us)
To manage our relationship with you and carry out any necessary administration	Identity, Contact, Usage Communications	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to keep our records updated and to study how clients use our services)
To manage anti money laundering procedures (where relevant), credit checks and for the prevention of crime	Identity, Contact, Financial	(a) Necessary to comply with a legal obligation (b) Necessary for our legitimate interests (to verify your identity, assess financial status, manage our risks)
To promote our services in business development	Identity, Usage, Contact, Transaction	Where we have an existing relationship with you and send you communications about legal services or developments on an opt out basis; or consent (where you have opted in to hear from us).

Marketing

We endeavour to provide you with choices regarding certain personal data uses, particularly around marketing. We have established the following personal data control mechanisms.

We may use your Identity, Contact, and Usage Data to form a view on what we think may be of interest to you. This is how we decide which of our services may be relevant for you (we call this marketing).

As a client, or where we have an existing relationship with you, you may receive marketing communications from us if you have not opted out of receiving that marketing. We will not share your personal data with any third party for marketing purposes.

Opting out etc

You can ask us to stop sending you marketing messages by contacting us at any time.

Google Analytics - we use this to understand how our web site is being used in order to improve user experience. User data is anonymous.

Change of purpose

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so. Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

5. Disclosures of your personal data

We may share your personal data with the parties set out in paragraph 10 below for the purposes set out in the table above.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow third parties to use your personal data for their own purposes, and only permit them to process your personal data for specified purposes and in accordance with our instructions.

6. International transfers

Though we hold your personal data in the UK, in some instances it may be necessary to transfer your personal data outside of the European Economic Area (EEA) e.g. where required in the prosecution or defence of legal claims, if we require to instruct lawyers outside the EEA, or where we have a legal or regulatory obligation to do so.

In this event appropriate safeguards and checks are implemented. Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the EEA.

7. Data security

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach, and will notify you and any applicable regulator of a breach where we are legally required to do so.

8. Data retention

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, or regulatory requirements.

Generally, we will retain our client files (and your personal data within them) for a minimum period of 10 years from the date on which the matter on which you have instructed us has completed.

9. Your legal rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data.

If you wish to exercise any of the rights set out below, please contact us.

You will not usually have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

Time limit to respond

We try to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

10. External Third Parties

Certain personal data may be shared with others such as:

other solicitors, the courts, and other parties with whom it is necessary for us to share information in order to fulfil our contractual obligations to you: professional advisers including lawyers, bankers, accountants and insurers who provide legal, banking, insurance and accounting services: HM Revenue & Customs, regulators and other authorities who may require reporting of processing activities in certain circumstances.

YOUR LEGAL RIGHTS

You have the right to:

Request access to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing, where we may have processed your information unlawfully or where we are required to erase your personal data to comply with law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

Object to processing of your personal data where we are relying on a legitimate interest and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:

If you want us to establish the data's accuracy : where our use of the data is unlawful but you do not want us to erase it : where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims : you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

Request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information, if and where applicable, which you initially provided consent for us to use or where we used the information to perform a contract with you.

Withdraw consent at any time in any circumstances where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain services to you.

Kathleen Stewart W.S.

May 2019.