

PERFORMANCE LIVING LIMITED - SOLICITORS

DATA RETENTION * DATA PROTECTION * PRIVACY

POLICY STATEMENT and NOTICE

Here we explain what personal information we collect, why we collect it and what we do with it. We also explain your rights in respect of your own personal information.

Whose personal data we process and why

As a firm of Solicitors regulated by the Law Society of Scotland we have a professional and statutory obligation to compile and maintain accurate information on our clients. All data we hold on any individual is available for inspection by that individual, upon written request. None of our data is available for public inspection or in the public domain.

To compile all relevant documentation for our clients we collect and use a range of personal information including the names and addresses of individuals who are our clients and or may be the clients of other solicitors

- who are involved in a conveyancing or commercial transaction;
- who are involved in making legal agreements, contracts, proposals or the like;
- who are making testamentary directions, acting as Executors, or are beneficiaries under a Will or a Trust or
- who are the subject of registered deeds, writs, judgements or protests.

Clients using our services

If you, or someone acting on your behalf, requests products or services from us, for example through our website or by personal referral, we will collect and use your personal information in order to provide you with that service, and fulfil our contractual obligations to you. If we already hold the information requested, then we will access it and use it to provide you with the product or service you have requested.

If we need to collect additional information from you, such as payment information, we will do so and use it for the same purpose.

In some cases we will collect information about your behaviour as a client, for example which products and services you are using and how often, in order to help us meet our contractual and professional obligations to you. We retain this information for a maximum of 10 years after its last use. We may also use this information to contact you in

relation to our products or services in the future; you can opt out of these communications.

Visitors to our website

You can browse our website without disclosing your personal information. However, our website uses essential cookies to function correctly, and some third party services may also set cookies on your browser. Any cookies that collect and use your personal information will request your consent when you access the website for the first time. You can change your privacy settings in relation to cookies at any time via your internet browser settings.

Subscribers to our communications

If you sign up to any of our communications, events or surveys, including through our social media channels, we will collect and use your personal information for the purpose of communicating and consulting with you, facilitate our events and we may inform you about our services. If we need to pass information on to a third party for event facilitation reasons, consent will be sought at the time of booking.

Enquiries, complaints and feedback

If you contact us with an enquiry, comment or complaint, we will use the personal information you provide to us to respond and resolve your issue, on the basis of our contract with you. We may ask you to provide additional personal information if it is necessary for this purpose, and will retain any information you provide for up to 3 years after receiving it.

Prospective, current and former employees

If you apply to work for or with us, whether as an employee, advisor, supplier or consultant, we will process your personal information for the purpose of recruitment, and in anticipation of entering into a contract with you. If you are unsuccessful we will retain your information for 2 years before destroying it.

If you are an employee or appointed supplier of Performance Living Limited we collect and use your personal information for the purpose of carrying out our duties as an employer/contractor, to support you in your employment/contract with Performance Living Limited and to fulfil our contractual obligations as an employer/ contractor.

This will include collection and use of your personal details, financial information, health information, and information relating to your performance, attendance and activity at work.

If you leave employment at Performance Living Limited we will continue

to process your personal information in order to end your contract with us, to fulfil any outstanding obligations we have as your former employer, and to meet our statutory obligations.

We may be required to share some employee information with public bodies such as HMRC in line with statutory obligations, or with other organisations whom you have given us your consent to share your information with. Employee information is held only for as long as is necessary and in line with our corporate retention schedule.

Suppliers and service providers

If you are part of our supply chain, we will process your personal information for the purpose of procuring and consuming goods and services, and to fulfil our contract with you. This may include your personal contact information and information required for you to supply products and services to us. Where necessary for the same purpose we may share this information with other suppliers and service providers, or with our customers. We keep this data for 7 years after the end of the financial year.

How we share personal information

We sometimes need to share your personal information with other organisations for statutory or regulatory reasons, or because doing so is in the general public interest.

These organisations include:

- UK government bodies (for example HMRC)
- Scottish Government, its agencies and non-ministerial departments (for example Revenue Scotland)
- Local government and administration (for example Valuation Joint Boards)
- Law enforcement and regulatory agencies (for example Police Scotland)

Like most organisations, we ask third parties who are part of our own supply chain to collect and use your personal information in order to help us perform our functions. In each case they do this under explicit instructions from us and are not allowed to pass your information to others without our permission, or to use it for any further purpose.

These organisations include

- the suppliers of our IT systems and infrastructure
- suppliers of communications systems and services
- suppliers of office and building services

- suppliers of professional services (such as recruitment specialist or accountants and legal advisors)

These organisations retain your information only as long as is necessary and we ensure that they return to us, or destroy, any remaining information at the end of our contract with them.

As a firm of solicitors Performance Living Limited is required to comply with statutory obligations to provide access to information (for example it may be necessary for us to disclose your personal information to a third party in response to a relevant statutory request).

Your rights

Data protection legislation gives you rights, which we are required to help you exercise, should you wish to. These are summarised in the table below.

Right	What it means
Information	You have the right to clear information about how we collect and use your personal information – this privacy notice is one example of how we do this
Access	You have the right to request a copy of the personal information we hold about you
Correction	You have the right to ask for any personal information that is inaccurate or incomplete to be corrected
Erasure	You have the right to ask for your personal data to be deleted under certain circumstance
Objection to processing	You have the right to object to our use of your personal information under certain circumstances
Restriction on processing	If you make an objection, our use of your personal information may be temporarily suspended whilst we deal with your request
Portability	You have the right to ask for a copy of your personal information in a machine readable format to pass to another organisation under certain circumstances

All requests to exercise your rights should be addressed to the Performance Living Data Protection Officer, The Business Suite, Barns of Woodside, Newburgh, Fife, KY14 6AD. You should receive a response within one calendar month.

Contacting our Data Protection Officer

As a firm of solicitors we have appointed a Data Protection Officer whose role includes advising and assisting individuals whose personal data we

collect and use. You can contact the Data Protection Officer at any time to raise any query or concern you have in respect of how Performance Living Limited uses your personal information by emailing the **Lead Director and Data Protection Officer, Neil Anderson** at neil@performanceliving.co.uk

Complaint to the Information Commissioner's Office

If you wish to complain about how we are processing your personal data, you can do so by contacting the Information Commissioner's Office (ICO) via online form, email, phone, live chat or post.

Changes to this privacy notice

This privacy notice will be updated as necessary to reflect any changes to the way in which we process personal data. If you have any questions about this privacy notice you can contact our Data Protection Officer.

Prepared by the **Lead Director and Data Protection Officer, Neil Anderson** – last updated – 21 May 2018