

## 1. Personal Data

Under the EU's General Data Protection Regulation (GDPR) personal data is defined as:

“any information relating to an identified or identifiable natural person (‘data subject’); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person”.

## 2. Why Does Miller Hendry Need To Collect And Store Personal Data?

In order for us to provide you with a service we need to collect personal data. In any event, we are committed to ensuring that the information we collect and use is appropriate for this purpose, and does not constitute an invasion of your privacy.

In terms of being contacted for marketing purposes Miller Hendry will only contact you if you have ‘Opted In/ ‘Subscribed’ to this service via our websites

[Miller Hendry Property Alerts](#)

[Miller Hendry Marketing Subscription](#)

### 2.1. Personal Data we may collect from you and process on your behalf is:

#### PERSONAL DATA TYPE:

Contact  
Information (e.g. Name,  
Address, Date of Birth, email address,  
telephone numbers)

Identity  
Documentation (e.g. Passport,  
Driving Licence, ID Cards,  
Shotgun/Firearm Licence)

Financial  
Information (e.g. bank account  
details, NI number, Tax Reference,  
Pension Details, Income Details)

Medical Information (e.g. Medical Records and Reports)

Internet and website log information  
(e.g. Internet Service Provider, your  
operating system, browser type, domain  
name, the Internet Protocol (IP) address  
of your computer (or other electronic  
Internet-enabled device), your access

times, the website that referred you to us, the web pages you request and the date and time of those requests)

### **3. How Will Miller Hendry Use The Personal Data It Collects About Me?**

Miller Hendry will process (collect, store and use) the information you provide in a manner compatible with the EU's General Data Protection Regulation (GDPR). We will endeavour to keep your information accurate and up to date, and not keep it for longer than is necessary. Miller Hendry is required to retain information in accordance with the law, such as information needed for income tax and audit purposes. How long certain types of personal data should be kept may also be governed by specific business-sector requirements and agreed practices. Personal data may be held in addition to these periods depending on individual business needs.

### **4. Miller Hendry will collect and use your personal data:**

- to respond and/or deal with your requests;
- to improve our products and services and to ensure that content from the websites is presented in the most effective manner for you and for your computer (or other electronic Internet-enabled device);
- to administer the websites;
- for internal record keeping;
- to contact you (directly, either by Miller Hendry or through a relevant partner or agent) by email or phone for any of the above reasons;
- where necessary as part of any restructuring of the firm or sale of the firm's business or assets;
- to analyse trends and customer journeys in using and accessing our websites.

#### **4.1. Our legal basis for processing for the personal data:**

- where we carry out identity checks, anti-money laundering checks, and checks with fraud prevention agencies, and periodically after that, and where we share your personal information with such agencies, for these purposes;
- to respond and/or deal with your instructions;
- monitoring and recording of telephone calls and email communications where necessary for compliance with regulatory rules or self-regulatory practices or procedures relevant to our business, to

prevent or detect crime, for quality, training and security purposes;  
and

- for compliance with our legal, regulatory and other good governance obligations.

This list is not intended to be exhaustive and may be updated from time to time as business needs and legal requirements dictate. Some of the personal information that we maintain will be kept in paper files, while other personal information will be included in computerised files and electronic databases.

#### **4.2. Any legitimate interests pursued by us, or third parties we use, are as follows:**

- We automatically collect standard internet and website log information to understand how our website visitors behave, which we use to improve your experience online. This may include information about your Internet Service Provider, your operating system, browser type, domain name, the Internet Protocol (IP) address of your computer (or other electronic Internet-enabled device), your access times, the website that referred you to us, the web pages you request and the date and time of those requests.
- Our collection of website use information may also involve the use of cookies. Please see our Cookies Policy for more information.
- From time to time we may request that you provide us with some additional personal information so that we can liaise with you in order to deal with your request and/or instructions. If you do choose to provide us with your personal information, we will collect that information for our own use and for the purposes described in this Notice.

#### **5. Will Miller Hendry Share My Personal Data With Anyone Else?**

We may pass your personal data on to third-party service providers contracted to Miller Hendry in the course of dealing with you. Any third parties that we may share your data with are obliged to keep your details securely, and to use them only to fulfil the service they provide you on our behalf. When they no longer need your data to fulfil this service, they will dispose of the details in line with Miller Hendry procedures. If we wish to pass your sensitive personal data onto a third party we will only do so once we have obtained your consent, unless we are legally obliged to do otherwise. A list of third-party service providers is available on request subject to paragraph 9 below.

#### **6. Consent**

In the absence of a legal basis or legitimate interest, consent is required for Miller Hendry to process personal data, but it must be explicitly given. Where we are asking you for sensitive personal data we will always tell you why and how the information will be used.

You may withdraw such consent at any time by completing a [Withdrawal of Consent Form](#) or [Withdrawal of Parental Consent Form](#) in line with our [Withdrawal of Consent Procedure](#).

### **7. Retention Period**

Miller Hendry will process personal data for the period of request/instruction, and will store the personal data as required by The Law Society of Scotland and any other such regulatory body. Further information on how the retention period has been established can be viewed in the Miller Hendry Retention Period Policy and Procedure.

All of the above requests will be forwarded on should there be a third party involved (as stated in paragraph 5 above) in the processing of your personal data.

### **8. Under What Circumstances Will Miller Hendry Contact Me?**

Our aim is not to be intrusive, and we undertake not to ask irrelevant or unnecessary questions. Moreover, the information you provide will be subject to rigorous measures and procedures to minimise the risk of unauthorised access or disclosure.

### **9. Your Rights**

#### **9.1. As A Data Subject**

At any point while we are in possession of, or processing your personal data, you, the data subject, have the following rights:

- Right Of Access – You have the right to request a copy of the information that we hold about you.
- Right Of Rectification – You have a right to correct data that we hold about you that is inaccurate or incomplete.
- Right To Be Forgotten – In certain circumstances you can ask for the data we hold about you to be erased from our records.
- Right To Restriction Of Processing – Where certain conditions apply to have a right to restrict the processing.
- Right Of Portability – You have the right to have the data we hold about you transferred to another organisation.

- Right To Object – You have the right to object to certain types of processing such as direct marketing.
- Right To Object To Automated Processing, Including Profiling – You also have the right to be subject to the legal effects of automated processing or profiling.
- Right To Judicial Review: In the event that Miller Hendry refuses your request under Rights Of Access, we will provide you with a reason as to why. You have the right to complain as outlined in paragraph 10 below.

### **9.2. Can I Find Out The Personal Data That Miller Hendry Holds About Me?**

Miller Hendry, at your request, can confirm what information we hold about you and how it is processed. If Miller Hendry does hold personal data about you, you can request the following information:

- Identity and the contact details of the person or organisation that has determined how and why to process your data. In some cases, this will be a representative in the EU.
- Contact details of the data protection representative, where applicable.
- The purpose of the processing as well as the legal basis for processing.
- If the processing is based on the legitimate interests of Miller Hendry or a third party, information about those interests.
- The categories of personal data collected, stored and processed.
- Recipient(s) or categories of recipients to whom the data is/will be disclosed.
- If we intend to transfer the personal data to a third country or international organisation, information about how we ensure this is done securely. The EU has approved sending personal data to some countries because they meet a minimum standard of data protection. In other cases, we will ensure there are specific measures in place to secure your information.

- How long the data will be stored.
- Details of your rights to correct, erase, restrict or object to such processing.
- Information about your right to withdraw consent at any time.
- How to lodge a complaint with the supervisory authority.
- Whether the provision of personal data is a statutory or contractual requirement, or a requirement necessary to enter into a contract, as well as whether you are obliged to provide the personal data and the possible consequences of failing to provide such data.
- The source of personal data if it was not collected directly from you.
- Any details and information of automated decision making, such as profiling, and any meaningful information about the logic involved, as well as the significance and expected consequences of such processing.

### **9.3. What Forms Of ID Will I Need To Provide In Order To Access This?**

Miller Hendry accepts the following forms of ID when information on your personal data is requested:

Please provide us with 2 forms of identification – either (i) both from List A or (ii) one from List A and one from List B.

#### **LIST A**

Valid Passport

Valid Photocard Driving Licence

Pension Book

Armed Forces ID Card

Pensioner's Travel Pass

Firearms Certificate or Shotgun licence

If you are unable to come into one of our offices with original documentation, we are able to accept forms of identification copied and verified by another firm of solicitors, chartered accountants or your bank. Copies should be endorsed with the date on which they were made, confirmation that they are an accurate copy and the signature of the person comparing them to the original. The person signing the copy should also add their organisation's details/stamp and

their own position in the business. Some Post Offices also offer an identity verification service.

### **10. Complaints**

In the event that you wish to make a complaint about how your personal data is being processed by Miller Hendry (or third-parties as described in paragraph 5 above), or how your complaint has been handled, you have the right to lodge a complaint directly with the supervisory authority and Miller Hendry Data Protection Representative:

The details for each of these contacts are:

**SUPERVISORY AUTHORITY  
CONTACT DETAILS: INFORMATION COMMISSIONER'S OFFICE  
45 MELVILLE STREET  
EDINBURGH  
EH3 7HL**

**TEL: 0303 123 1115  
EMAIL: SCOTLAND.ICO.ORG.UK**

### **11.Changes to our Privacy Notice**

The Firm may update or amend this Privacy Notice at any time. It is your responsibility to check the Privacy Notice on each occasion that you use this Website.