

ROBERTSON WYSE SOLICITORS customer privacy notice

This privacy notice tells you what to expect us to do with your personal information.

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Contact details

Post

Waverley Chambers, 450 High Street, Cowdenbeath, Fife, KY4 8LR, GB

Telephone

01383 515020

Email

info@robertsonwyse.co.uk

What information we collect, use, and why

We collect or use the following personal information for the **operation of client or customer accounts**:

- Names and contact details
- Addresses

- Purchase or service history
- Information used for security purposes

We collect or use the following personal information **for the prevention, detection, investigation or prosecution of crimes:**

- Names and contact information
- Client accounts and records
- Financial information eg for fraud prevention or detection

We collect or use the following personal information for **research or archiving purposes:**

- Names and contact details
- Addresses
- Purchase or client account history

We collect or use the following personal information to **comply with legal requirements:**

- Name
- Contact information
- Identification documents
- Client account information
- Any other personal information required to comply with legal obligations

We collect or use the following personal information to **protect client welfare:**

- Names and contact information
- Client account information

We collect or use the following personal information for **dealing with queries, complaints or claims:**

- Names and contact details
- Address
- Account information
- Purchase or service history
- Customer or client accounts and records
- Correspondence

Lawful bases and data protection rights

Under UK data protection law, we must have a “lawful basis” for collecting and using your personal information. There is a list of possible lawful bases in the UK GDPR. You can find out more about lawful bases on the ICO’s website.

Which lawful basis we rely on may affect your data protection rights which are in brief set out below. You can find out more about your data protection rights and the exemptions which may apply on the ICO’s website:

- **Your right of access** - You have the right to ask us for copies of your personal information. You can request other information such as details about where we get personal information from and who we share personal information with. There are some exemptions which means you may not receive all the information you ask for. [You can read more about this right here.](#)
- **Your right to rectification** - You have the right to ask us to correct or delete personal information you think is inaccurate or incomplete. [You can read more about this right here.](#)
- **Your right to erasure** - You have the right to ask us to delete your personal information. [You can read more about this right here.](#)
- **Your right to restriction of processing** - You have the right to ask us to limit how we can use your personal information. [You can read more about this right here.](#)
- **Your right to object to processing** - You have the right to object to the processing of your personal data. [You can read more about this right here.](#)

- **Your right to data portability** - You have the right to ask that we transfer the personal information you gave us to another organisation, or to you. [You can read more about this right here.](#)
- **Your right to withdraw consent** – When we use consent as our lawful basis you have the right to withdraw your consent at any time. [You can read more about this right here.](#)

If you make a request, we must respond to you without undue delay and in any event within one month.

To make a data protection rights request, please contact us using the contact details at the top of this privacy notice.

Our lawful bases for the collection and use of your data

Our lawful bases for collecting or using personal information for the **operation of client or customer accounts** are:

- Consent - we have permission from you after we gave you all the relevant information. All of your data protection rights may apply, except the right to object. To be clear, you do have the right to withdraw your consent at any time.
- Contract – we have to collect or use the information so we can enter into or carry out a contract with you. All of your data protection rights may apply except the right to object.
- Legal obligation – we have to collect or use your information so we can comply with the law. All of your data protection rights may apply, except the right to erasure, the right to object and the right to data portability.
- Public task – we have to collect or use your information to carry out a task laid down in law, which the law intends to be performed by an organisation such as ours. All of your data protection rights may apply, except the right to erasure and the right to portability.

Our lawful bases for collecting or using personal information **for the prevention, detection, investigation or prosecution of crimes** are:

- Consent - we have permission from you after we gave you all the relevant information. All of your data protection rights may apply, except the right to object. To be clear, you do have the right to withdraw your consent at any time.
- Contract – we have to collect or use the information so we can enter into or carry out a contract with you. All of your data protection rights may apply except the right to object.
- Legal obligation – we have to collect or use your information so we can comply with the law. All of your data protection rights may apply, except the right to erasure, the right to object and the right to data portability.
- Public task – we have to collect or use your information to carry out a task laid down in law, which the law intends to be performed by an organisation such as ours. All of your data protection rights may apply, except the right to erasure and the right to portability.

Our lawful bases for collecting or using personal information for **research or archiving purposes**:

- Contract – we have to collect or use the information so we can enter into or carry out a contract with you. All of your data protection rights may apply except the right to object.
- Legal obligation – we have to collect or use your information so we can comply with the law. All of your data protection rights may apply, except the right to erasure, the right to object and the right to data portability.

Our lawful bases for collecting or using personal information to **comply with legal requirements**:

- Consent - we have permission from you after we gave you all the relevant information. All of your data protection rights may apply, except the right to object. To be clear, you do have the right to withdraw your consent at any time.

- Contract – we have to collect or use the information so we can enter into or carry out a contract with you. All of your data protection rights may apply except the right to object.
- Legal obligation – we have to collect or use your information so we can comply with the law. All of your data protection rights may apply, except the right to erasure, the right to object and the right to data portability.
- Public task – we have to collect or use your information to carry out a task laid down in law, which the law intends to be performed by an organisation such as ours. All of your data protection rights may apply, except the right to erasure and the right to portability.

Our lawful bases for collecting or using personal information to **protect client welfare** are:

- Consent - we have permission from you after we gave you all the relevant information. All of your data protection rights may apply, except the right to object. To be clear, you do have the right to withdraw your consent at any time.
- Contract – we have to collect or use the information so we can enter into or carry out a contract with you. All of your data protection rights may apply except the right to object.
- Legal obligation – we have to collect or use your information so we can comply with the law. All of your data protection rights may apply, except the right to erasure, the right to object and the right to data portability.
- Vital interests – collecting or using the information is needed when someone's physical or mental health or wellbeing is at urgent or serious risk. This includes an urgent need for life sustaining food, water, clothing or shelter. All of your data protection rights may apply, except the right to object and the right to portability.
- Public task – we have to collect or use your information to carry out a task laid down in law, which the law intends to be performed by an organisation such as ours. All of your data protection rights may apply, except the right to erasure and the right to portability.

Our lawful bases for collecting or using personal information for **dealing with queries, complaints or claims** are:

- Contract – we have to collect or use the information so we can enter into or carry out a contract with you. All of your data protection rights may apply except the right to object.
- Legal obligation – we have to collect or use your information so we can comply with the law. All of your data protection rights may apply, except the right to erasure, the right to object and the right to data portability.
- Public task – we have to collect or use your information to carry out a task laid down in law, which the law intends to be performed by an organisation such as ours. All of your data protection rights may apply, except the right to erasure and the right to portability.

Where we get personal information from

- Directly from you
- Regulatory authorities
- CCTV footage or other recordings
- Legal bodies or professionals (such as courts or solicitors)
- Debt collection agencies
- Publicly available sources
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How long we keep information

Simple Debt Collection

Ten years after final completion i.e. after the time for appeal has elapsed.

Divorce and consistorial matters

Ten 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.

Criminal cases

- Summary cases

Files in respect of summary cases should be retained for three years following the date of conclusion of proceedings.

- Solemn cases

In solemn cases resulting in conviction files should be retained for the duration of the custodial sentence if it is more than three years in length.

If the client is acquitted or the sentence is one of less than 3 years in length the files should be retained for three years from the date of conclusion of proceedings.

If the case is neither indicted nor reduced to summary complaint the file should be kept for a three year period beginning one year after the date of first appearance on petition (or three years from the date that written

confirmation is received from the Crown that there are to be 'no further proceedings').

In murder cases and other cases involving disposal by way of life imprisonment (such as the imposition of an Order for Lifelong Restriction) all papers should be retained indefinitely.

Executries

The retention period may be of particular importance in cases where no clear decision has been taken to discharge legal rights.

Files should be retained for the period which is the later of:

(i) Twenty years after the date of the approval of the "final" accounts of the executry; or

(ii) Two years from the death of the deceased's spouse or civil partner (if applicable)

Conveyancing Purchase: Ten years after completion-although the file may be of use until the property is subsequently disposed of.

Conveyancing 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).

Other correspondence files - Five years after completion of the business.

Financial records - "the required retention period" for accounting records being, the "remainder of the financial year of the practice unit and a further six financial years".

Who we share information with

Data processors

Cashroom Solutions

This data processor does the following activities for us: They reconcile and manage Client Bank Account

Steven Averal Law Account

This data processor does the following activities for us: He drafts Fee Notes independently

Others we share personal information with

- Regulatory authorities
- Organisations we're legally obliged to share personal information with

How to complain

If you have any concerns about our use of your personal data, you can make a complaint to us using the contact details at the top of this privacy notice.

If you remain unhappy with how we've used your data after raising a complaint with us, you can also complain to the ICO.

The ICO's address:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Helpline number: 0303 123 1113

Website: <https://www.ico.org.uk/make-a-complaint>

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