

THOMSON COOPER

PERSONAL DATA AND INFORMATION POLICY FOR INSOLVENCY ASSIGNMENTS

This information sheet provides information to insolvency stakeholders on our firm's policy with regard to the handling and storing of Personal Data and Information under the General Data Protection Regulation ("GDPR"). Further information on Personal Data and your rights can be found on the Information Commissioner's Office website at <https://ico.org.uk/your-data-matters/>

Information we collect and hold about you

The processing of your Personal Data by us is necessary to enable us to comply with legal obligations under the Insolvency Act 1986, Bankruptcy (Scotland) Act 2016 and any associated legislation which an Insolvency Practitioner is subject to. By requesting details of your claim in an insolvency case, we may collect Personal Data from stakeholders, particularly if you are an employee, a sole trader, a shareholder, a consumer creditor, or are lodging a claim in some other personal capacity. Personal Data is information relating to a living individual and examples include, but may not be limited to, your name, address, telephone number and email contact details. Whenever Personal Data is processed, collected, recorded, stored or disposed of it must be done within the terms of GDPR. If you do not provide us with the information we require, this may adversely affect our ability to deal with your claim. However, we would ask that you do not submit more Personal Data than we request from you.

How we use your information

Your information will be used to enable us to process your claim in the insolvency and to pay any dividends to which you may be entitled. It will also be used to assess the extent of the insolvent entity's liabilities, to allow you to vote in any decision procedures and to enable communication with you,

Who we share your information with

Under insolvency legislation it may be necessary for us to share some of your Personal Data with other creditors. Such data will be limited to that specifically required to be disclosed under the legislation. We may also share some of your information with other Data Processors such as solicitors, accountants and other specialists who may assist us from time to time with our duties. Such information will only be shared where we require their specialist advice.

How long will we hold your Personal Data for?

Legislation requires us to store case records and files, including Personal Data, for a period of time after the insolvency has been concluded. This is to enable us to deal with any queries which might arise. Our policy is to securely destroy any physical files and to remove any electronic files for our case management system 6 years after a case is closed although access restrictions may be put in place prior to that. Electronic files may be held on our server for a longer period of time but with very limited access.

Your rights in respect of your Personal Data

You have the right to request access to your Personal Data and for it to be corrected or deleted. You also have the right to object to your Personal data being processed or to request a restriction in the way we process it. However, you should note that we may not be able to comply with such requests if it would affect our ability to comply with our legal obligations. You also have the right to Data Portability in which the Personal Data we hold about you is to be provided to you in a commonly used, machine-readable format such that you can readily transfer that Data to another organization.

Your right to complain

You have the right to be confident that we are handling your Personal Data responsibly and in line with best practice. If you have any questions or concerns about the way we are handling your Personal Data you should contact Mark Mitchell, the partner responsible for our Personal Data and Information policy in the first instance. He can be contacted at Thomson Cooper, 3 Castle Court, Carnegie Campus, Dunfermline KY11 8PB or mmitchell@thomsoncooper.com or on 01383 628800. If you are unable to resolve your concerns with us then you have the right to refer the matter to the Information Commissioner's Office on 0303 123 1113 or, to their preference, via their website at <https://ico.org.uk/make-a-complaint/data-protection-complaints/>