



Aberdein Considine

Aberdein Considine LLP Client Privacy Notice

1. Introduction

- 1.1. We are committed to safeguarding the privacy and security of the personal information in our care. This privacy policy notice describes how we collect and use personal information about you during and after your working relationship with us.
- 1.2. We recognise that we have an ongoing responsibility of transparency with data subjects, so we keep this privacy notice under regular review. This version was last updated on 16th May 2025.

2. Who we are and contact details

- 2.1. Aberdein Considine LLP is a limited liability partnership registered in Scotland with company number SO306828. Our registered office is 1st Floor, Blenheim House, Fountainhall Road, Aberdeen, Scotland, AB15 4DT. When we say **we, our, us** or **Aberdein Considine** in this policy, we are referring to Aberdein Considine LLP.
- 2.2. We have appointed a Data Protection Officer (**DPO**) who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice or the personal information we collect or use about you, please contact:

Email: DPO@acandco.com

Address: FAO Data Protection Officer, 1st Floor, Blenheim House, Fountainhall Road, Aberdeen, Scotland, AB15 4DT.

3. Whose personal information do we process

- 3.1. We may process your personal information in the course of our business, including:
 - When you engage us to provide services to you.
 - When we are engaged to provide services to third parties and you are connected to the provision of such services.
 - When you contact or request information from us via our website or subscribe to our newsletters or other emails or attend events which we host or are involved with.
 - When we engage you or the business you work for to provide goods or services to us on our own behalf or on behalf of our clients.
 - When you use our website.
 - When you apply for a job with us. We have a separate recruitment privacy notice which will be provided to you as part of your application.

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4. The personal information we collect about you

4.1. Personal information means any information about an individual from which that person can be identified. We may collect, use, store and transfer a range of personal information about you which we have grouped together as follows:

- **Identity** includes your full name, any previous names, username or similar identifier, marital status, title, data of birth and gender.
- **Contract** includes billing address, delivery address, email address and telephone number.
- **Financial** includes bank account details.
- **Transaction** includes details about payments to and from you and other details of products and services you have purchased from us.
- **Technical** includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, device ID and other technology on the devices you use to access this website.
- **Usage** includes information about how you interact with and use our website, products and services.
- **Contractual** includes information obtained by providing services to you.
- **Marketing and Communications** includes information received from your letters, emails, call recordings and conversations between us as well as your preferences in receiving marketing from us and our third parties and your communication preferences.

4.2. In certain circumstances we may process **special category** or **sensitive** personal information about you, in which case we take particular care to only process such information in accordance with the strict legal parameters. This type of information can include 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 information). We may also collect Criminal Convictions and Offences information.

4.3. We also collect, use and share aggregated information such as statistical or demographic information which is not personal information as it does not directly (or indirectly) reveal your identity. For example, we may aggregate individuals' usage information to calculate the percentage of users accessing a specific website feature in order to analyse general trends in how users are interacting with our website to help improve the website and our service offering.

5. If you fail to provide personal information

Where we need to collect personal information by law, or under the terms of our engagement with you (as set out in our engagement letter and terms of business), and you fail to provide that information when requested, it may delay or prevent us from being able to perform the contract we have entered into with you and/or comply with our own legal obligations. In some cases, we may be unable to act for you or may have to withdraw from acting.

6. Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your relationship with us, for example a new address or email address.

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7. How is your personal information collected

7.1. We use different methods to collect information from and about you including:

7.1.1. In the process of carrying out work for you (or your business) where we will in almost all instances act as a controller. In limited circumstances we may act as a processor in which case we will ensure that an appropriate contract is put in place.

7.1.2. When we communicate with you by email or other electronic correspondence, by telephone or using video conferencing software. You may give us your Identity, Contact and Financial Data by completing our know-your-client and anti-money laundering checks, filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal information you provide when you:

- Make a request for our services.
- Subscribe to our publications.
- Request marketing to be sent to you.
- Complete a survey.
- Provide us with feedback.

7.1.3. Networking (for example, at in-person or virtual events). See further information below at paragraphs 7.3, 7.4 and 7.5.

7.1.4. Through your use of our guest Wi-Fi service.

7.1.5. By virtue of our access to CCTV footage.

7.1.6. Otherwise through providing our services and operating our business.

7.2. **Client and Third Party Due Diligence.** As a firm of solicitors, we must comply with different legal and regulatory requirements aimed at preventing crime. To enable us to comply with anti-money laundering and counter-terrorist financing laws, we must carry out customer due diligence checks. In most instances, we will use a third-party system called Amicus ID to obtain the information and documentation required. Amicus ID enables you to upload the necessary information via an online portal.

7.3. **Attendance at In-Person Events.** If you choose to share dietary preferences with us while attending events or meetings we organise, this may inadvertently disclose sensitive personal information, such as information relating to your health or religious beliefs. We may need to share this information with catering providers, including third-party vendors engaged by us, to accommodate your needs. You may withdraw your consent to the use of this data at any time by contacting us.

7.4. **Participation in Virtual Events and Online Meetings.** We regularly hold webinars, virtual meetings, and events via platforms like Microsoft Teams. When you sign up or attend these sessions, the platform may automatically log certain details such as your attendance duration and level of interaction. We analyse this information to assess engagement and improve our events. Occasionally, sessions may be recorded, and you will be notified at the time via an automated message. Recordings are typically made to facilitate post-event sharing or documentation. For internal meetings, we may also record discussions to create written summaries, especially where required for internal use or client-related work. Once a transcript has been generated and securely stored, recordings are generally deleted unless there is a justified reason to retain them longer.

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- 7.5. **Event Photography and Videography.** Some of our events may feature photographers or videographers. The content captured could be used for promotional purposes across our marketing channels, including printed materials, social media, and press communications. If you prefer not to appear in any such materials, please inform the event organiser or notify a staff member during the event.
- 7.6. **Data Rooms and Online Platforms.** In delivering our services, you may be given access to secure online platforms (such as HighQ) to view, share, or upload documentation. Any personal information we handle in this context will be processed in line with this privacy notice. Please also review any additional privacy notices provided by the platform provider, and ensure you comply with any terms of use applicable to these systems.
- 7.7. **Electronic Signatures:** To streamline the signing process, we may use digital signature services (such as DocuSign). This requires us to enter your contact details into the platform and upload documents that may contain your personal information. These platforms are operated by third parties, and we take appropriate steps to ensure your information is handled securely.

8. How we use your personal information

- 8.1. The law requires us to have a legal basis for collecting and using your personal information. We rely on one or more of the following:
- **Performance of a contract with you.** Where we need to perform the contract we are about to enter into or have entered into with you.
 - **Legitimate interests:** Where it is necessary for our legitimate interests as a legal services provider (or those of a third party) and your interests and fundamental rights do not override those interests. These legitimate interests include our interests in managing our relationship with our clients, prospective clients and their staff, hosting clients and others at our offices, hosting virtual and in-person events and ensuring appropriate standards and compliance with policies, practices or procedures.
 - **Legal obligation:** Where we need to comply with a legal obligation to which we are subject.
 - **Consent.** We rely on consent only where we have obtained your active agreement to use your personal information for a specified purpose, for example if you subscribe to an email newsletter.
 - Where processing of “special category data” is necessary in the context of legal claims or where another legal ground other than explicit consent is available to us under relevant data protection legislation.
 - Where our legal services require us to process “special category data” and where we have obtained your explicit consent to do so. If we seek and obtain your consent, you may withdraw it at any time.
- 8.2. We will only process your personal information where we are permitted to do so by law, meaning when we have one or more legal basis to do so. The following provisions explain how we process your personal information depending on the context of how your personal information typically comes into our care and include further information about the legal basis.

Purpose / Use	Type of Information	Lawful Basis
To check whether we can act for you as a new or existing client or across from you as a counter party or other third party on a matter involving a new or existing client, and carry out all of our regulatory compliance requirements, including conflicts of interest, anti-money laundering, anti-terrorism, sanctions, fraud, credit checks and background screening	Identity Contact Financial Professional	Performance of a contract with you Necessary to comply with a legal or regulatory obligation Public interest Necessary for our legitimate interests (to detect and prevent the commission of fraud, money laundering and terrorism offences)
To deliver our services to you including engaging service providers, managing payments, fees and charges and collecting and recovering money owed to us	Identity Contact Financial Transaction Marketing and Communications	Performance of a contract with you Necessary for our legitimate interests (to recover debts due to us and to assess the financial worthiness of those to whom we may provide services to assess their ability to pay any sums due for those services)
To manage our relationship with you which will include notifying you about changes to our terms or privacy policy	Identity Contact Profile Marketing and Communications	Performance of a contract with you Necessary to comply with a legal obligation Necessary for our legitimate interests (to keep our records updated and to study how customers and clients use our products and services)
To run our business in an efficient and proper way. This includes managing financial administration, business capability, planning, communications, corporate governance and audit	Identity Contact Profile Financial Transaction	Performance of a contract with you Necessary to comply with a legal obligation Necessary for our legitimate interests
To enable you to complete a survey	Identity Contact Profile	Performance of a contract with you Necessary for our legitimate interests (to study how customers and clients use our

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Purpose / Use	Type of Information	Lawful Basis
	Usage Marketing and Communications	products and services, to develop them and grow our business)
To administer and protect our business and our website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	Identity Contact Technical	Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise) Necessary to comply with a legal obligation
To deliver relevant website content to you and measure or understand the effectiveness of the marketing we provide to you	Identity Contact Profile Usage Marketing and Communications Technical	Necessary for our legitimate interests (to study how customers use our products and services, to develop them, to grow our business and to inform our marketing strategy)
To use data analytics to improve our website, products and services, marketing, customer relationships and experiences	Technical Usage	Necessary for our legitimate interests (to define types of clients and customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)
To make suggestions and recommendations to you about services that may be of interest to you	Identity Contact Technical Usage Profile Marketing and Communications	Necessary for our legitimate interests (to develop our products and services and grow our business)

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- 8.3. **Direct Marketing.** We strive to provide you with choices regarding certain personal information uses, particularly around marketing and advertising. We have established the following personal information control mechanisms.
- We may use your identity, contact, technical, usage and profile information to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products, services and offers may be relevant for you (we call this marketing).
 - You will receive marketing communications from us if you have requested information from us or purchased goods or services from us and you have not opted out of receiving that marketing.
- 8.4. **Third-party Marketing.** We will get your express opt-in consent before we share your personal information with any third party for marketing purposes.
- 8.5. **Opting out of Marketing.** You can ask us or third parties to stop sending you marketing messages at any time by following the opt-out links on any marketing message sent to you or by contacting us at any time
- 8.6. **Cookies.** This website uses cookies to store information on your device. Some are necessary to make the site work. Others are optional and help us understand how people interact with our website and content so that we can make them better. For more information on the cookies we use and how to opt-in or disable them, please contact us.

9. Disclosure of your personal information

- 9.1. In providing services to our clients, operating our business and in complying with our legal obligations, we may share the personal information that we obtain about you, insofar as permitted by law, with the following:
- Other professional advisors instructed on your behalf, or in respect of the matter in which you may be involved, including solicitors, accountants, law accountants, tax advisors, experts, insolvency practitioners, arbitrators, adjudicators and mediators, local agent solicitors, foreign law firms, courts, sheriff officers, insurance brokers and barristers, advocates and healthcare professionals, social and welfare organisations.
 - Suppliers and service providers used by us in providing services, details of which can be made available on request, including IT and communication suppliers, insurers, brokers, external auditors, banks, cloud and data room providers.
 - Public information resources such as Companies House and Registers of Scotland, relevant regulators, including the Information Commissioner's Office in the event of a personal data breach, the Scottish Legal Complaints Commission, the Law Society of Scotland, the Solicitors Regulation Authority and the Financial Conduct Authority.
 - Counterparties to any transaction, dispute or legal proceedings, or other matters on which we are advising you.
 - The police and other law enforcement agencies, HM Revenue & Customs, National Crime Agency and other government bodies where it is necessary to do so for the purpose of providing you with our services, or where we have a legal or regulatory obligation to do so.
 - Companies providing services for money laundering checks, credit risk reduction and other fraud and crime prevention purposes and companies providing similar services, such as Amiqus ID. We

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will supply some of your personal information to TransUnion International UK Limited, which is a credit reference agency providing services such as credit risk and affordability checking, fraud prevention, anti-money laundering, identity verification and tracing.

TransUnion will use your personal information to provide services to us and its other clients. We use their services in order to check your identity, and prevent criminal activity such as fraud and money laundering. More information about TransUnion and the ways in which it uses and shares personal information can be found in its privacy notice at www.transunion.co.uk/legal/privacy-centre/pc-bureau.

- Credit reference agencies and fraud prevention agencies.
- Third parties involved in the hosting or arranging of events to which you have been invited.
- Third parties in the context of the acquisition or transfer of any part of our business or a business reorganisation.

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

10. International Transfers

10.1. We do not, as a matter of course, transfer personal information outside of the UK. Our document management system and email servers are all hosted in the United Kingdom.

10.2. We will only transfer your personal information outside the UK in the following circumstances:

- At your request.
- When we are acting under the instruction of someone based outside the UK.
- Where it is necessary to deliver the services you have engaged us for such as working with foreign legal counsel or advisers on your behalf.
- When required to meet a legal obligation that applies to either us or you.
- If the transfer is justified by significant public interest.
- The transfer is necessary for the establishment, exercise or defence of legal claims.

10.3. We may also utilise third-party IT systems that are hosted or backed up in data centres located outside the UK.

10.4. Whenever we transfer your personal information out of the UK to countries which have laws that do not provide the same level of data protection as the UK law, we always ensure that a similar degree of protection is afforded to it by ensuring appropriate safeguards are implemented, which may include:

- ensuring that we only transfer your personal information to countries that have been deemed by the UK to provide an adequate level of protection for personal information (for example, the European Economic Area).
- putting in place a contract with the recipient of your information which requires them to protect that information to the same standards as if the information were being processed within the United Kingdom.

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11. Data Security

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

12. How long we keep your personal information

- 12.1. We will only retain your personal information for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. In accordance with guidelines issued by the Law Society of Scotland, we retain client files for a minimum period of 10 years from the date of completion of your matter. In some areas of practice, such as real estate or wills, trusts and executries, the nature of the matters on which we are instructed, may require us to hold client files (and your personal information) for longer periods because the time periods for which legal claims can arise are much longer than 10 years. The rules that apply to determine how long it is appropriate to hold records for particular matters can be complex and varied.
- 12.2. We may retain your personal information for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.
- 12.3. To determine the appropriate retention period for personal information, we consider the amount, nature and sensitivity of the personal information, the potential risk of harm from unauthorised use or disclosure of your personal information, the purposes for which we process your personal information and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other requirements.

13. Your legal rights

13.1. You have rights under data protection laws in relation to your personal information to:

- Request access to your personal information. This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- Request correction of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected, though we may need to verify the accuracy of the new information you provide to us.
- Request erasure of your personal information in certain circumstances. This enables you to ask us to delete or remove personal information 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 information where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal information to comply with local 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 information where we are relying on a legitimate interest (or those of a third party) as the legal basis for that particular use of your information (including

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carrying out profiling based on our legitimate interests). In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your right to object.

- You also have the absolute right to object any time to the processing of your personal information for direct marketing purposes.
- Request the transfer of your personal information to you or to a third party. We will provide to you, or a third party you have chosen, your personal information in a structured, commonly used, machine-readable format. Note that this right only applies to automated information 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 where we are relying on consent to process your personal information. 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 our services to you. We will advise you if this is the case at the time you withdraw your consent.
- Request restriction of processing of your personal information.

13.2. You will not have to pay a fee to access your personal information (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.

13.3. We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal information (or to exercise any of your other rights). This is a security measure to ensure that personal information 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.

13.4. 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.

14. Complaints

14.1. If you have a complaint about our processing of your personal information, please refer to our Complaints Policy (see our website for a copy of this policy) (a copy can also be sent to you by email or post on request).

14.2. You also have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK regulator 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.

15. Links to other websites

This website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share information about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy policy of every website you visit.

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