

## **Faculty of Advocates & Faculty Services Ltd** **Subject Access Request Policy**

### **1. About Us**

1.1 The Faculty of Advocates ensures that the people of Scotland, regardless of wealth, background or location, have access to the very best independent, objective legal advice. The Faculty has been at the forefront of legal excellence since 1532 and regulates the training and professional practice, conduct and discipline of advocates.

### **2. About this policy**

2.1 The General Data Protection Regulation (GDPR) allows you to make a request to the Faculty of Advocates and/or Faculty Services Limited for copies of all personal information we hold about you in our computer systems. This is known as a Subject Access Request.

2.2 This Subject Access Request Policy applies to all individuals who make a subject access request to the Faculty of Advocates and/or Faculty Services Limited.

2.3 This policy informs you of your rights as an individual when requesting a copy of your data held by the Faculty of Advocates and/or Faculty Services Limited under Article 15 of the GDPR.

2.4 This policy lays out the steps the Faculty will take in order to respond to your subject access request (please see section 9). The Faculty has a further privacy notice which individuals can view [here](#).

2.5 The Faculty of Advocates and/or Faculty Services Limited cannot access personal data held by individual Advocates. If you wish copies of your personal data held by an Advocate the request should be sent to the advocate directly. Advocates contact details can be found on the Faculty website [here](#).

### **3. How will we use your personal data?**

3.1 The Faculty of Advocates and/or Faculty Services Ltd may use a data subject's information to:

- Regulate its members and provide administrative services to them
- Provide goods, services, quotations, and information,
- Process or support payments for goods and services;
- Carry out our role as an employer;
- Maintain the safety, security and integrity of our services;
- Direct your enquiries to the appropriate support staff;
- Investigate and address your concerns;
- Communicate with you about products, services, promotions, studies, surveys, news, updates and events;
- Make statutory returns as required by HMRC

#### **4. Why would the Faculty of Advocates hold my personal data?**

4.1 The vast majority of the information that we hold about you is provided to us by yourself when you seek to use our services. We will tell you why we need the information and how we will use it.

#### **5. Who is the Data Controller**

5.1 The Faculty of Advocates and/or Faculty Services Limited are the Data Controller(s), depending on the data in question. Under the GDPR a data controller is the person who determines the purpose and means of processing personal data, and what personal data will be held.

#### **6. Who is the Data Processor**

6.1 Both the Faculty of Advocates and Faculty Services Ltd may be a Data Processor depending on the data in question. Under the GDPR a data processor is any organisation that processes personal data on behalf of the data controller.

6.2 In certain circumstances the Faculty of Advocates and/or Faculty Services Limited may also be data processors when working on behalf of an Advocate (Controller). At this point, the Faculty of Advocates and/or Faculty Services Limited will not make any decisions on your personal data, and will simply process your data as advised by the data controller (Member of Faculty).

6.3 The Faculty of Advocates and/or Faculty Services Limited may use third parties in accordance with the GDPR, please see our privacy notice [here](#) for more information. We will include copies of the personal data held by third parties in our response to your Subject Access Request.

#### **7. Data Protection Officer**

7.1 The Faculty of Advocates Data Protection Officer is Iain Reid, and he can be contacted via email at [richard.masters@Advocates.org.uk](mailto:richard.masters@Advocates.org.uk), or by telephone on 0131 260 5805.

Or he can be contacted in writing at the below address:

Richard Masters  
CEO  
Faculty of Advocates  
Parliament House  
Edinburgh  
EH1 1RF

**8. What can you expect from the Faculty when responding to your Subject Access Request?**

8.1 The Faculty will respond to your subject access request within one calendar month of receiving a valid Subject Access Request.

8.2 We will respond to your request by email unless hard copies are requested.

**9. How we will respond to your Subject Access Request**

9.1 The Faculty of Advocates will follow the procedure below in order to respond to your Subject Access Request:

- We will verify your identity in order to guarantee data security
- We will search our systems for any data held about you
- We will prepare the information to be sent to you into an easily accessible format
- We will password protect any files we will send to you
- We will have our response to your request approved by one of our Office Bearers (Senior Members of Faculty). The list of Office Bearers can be viewed [here](#).
- We will send you the data you have requested electronically by email, unless hard copies have been requested.

**10. Where is your Subject Access data stored and how long is it held for?**

10.1 The response to your Subject Access Request is held in a computer file, which is secured by encryption.

10.2 The Faculty of Advocates ensures that data is not held for longer than is necessary, and as such we operate a Retention Policy which can be viewed [here](#). The Faculty will hold your Subject Access Request for one year from the date of the response being sent, and following this the data will be deleted.

10.3 The Faculty of Advocates/Faculty Services Ltd, in very rare circumstances may retain your Subject Access for a longer period of time. In particular, this will occur when there has been a particularly lengthy, or complex request, or where the applicant has made a complaint to the Information Commissioners Office.

**11. What can you do if you think the data held by the Faculty of Advocates is inaccurate?**

11.1 If you think the data held by the Faculty is inaccurate, you have the right to rectification under the GDPR. If the data held is believed to be inaccurate please contact the Data Protection Officer and he will be able to give you the contact details for the appropriate department in order to update your data.

## **12. You have the right to make a complaint to the Faculty and the ICO**

12.1 If you are unhappy about the way in which the Faculty have processed your personal data you can make a complaint to the Data Protection Officer whose contact details are listed above in section 7.

12.2 If you are dissatisfied with the response you receive from the Data Protection Officer you have the right to complain to the ICO. The ICO can be contacted at the below address:

Information Commissioner's Office

45 Melville Street

Edinburgh

EH3 7HL

Tel: 0303 123 1115

Email: [scotland@ico.org.uk](mailto:scotland@ico.org.uk)

Website: <https://ico.org.uk/>

