

Use and Retention Schedule

Please refer to the Notes below for a glossary of terms

Why are you providing information?	What does that include?	Who will get to see the information?	What is the lawful basis for processing my information?	Will information be gathered from other sources?	How long will you keep my information?
Applications	Applications for recognition, renewal or status under the Society's Rules, or statutes.	Staff and committees	Primarily the Society will rely on the legal obligation flowing from the relevant statutory provisions. Additionally, the Society will rely on its legitimate interest and obligation to fulfil a task or perform a function in the public interest or protect members of the public. Where appropriate the Society may also rely on specific consent and/or contractual obligations.	Information may be sourced/checked by reference to the Society's records or third parties such as: Disclosure Scotland, academic institutions, the SQA,SLCC,SLAB, SSDT, referees and other regulators	Application documentation will generally be kept for 5 years. Where it relates to a member's status/record, information will be kept indefinitely
	Applications for committee membership	Staff and committees	Primarily the Society will rely on the legal obligation flowing from the relevant statutory provisions. Additionally, the Society will rely on its legitimate interest and obligation to fulfil a task or perform a function in the public interest or protect members of the public. Where appropriate the Society may also rely on specific consent and/or contractual obligations.	Information may be sourced/checked by reference to the Society's records or third parties such as: Disclosure Scotland, academic institutions, the SQA,SLCC,SLAB, SSDT, referees and other regulators	Application documentation will generally be kept for 5 years. Where it relates to a member's status/record, information will be kept indefinitely
	For reimbursement from the Client Protection Fund/Guarantee Fund	Staff and committees	Primarily the Society will rely on the legal obligation flowing from the relevant statutory provisions. Additionally, the Society will rely on its legitimate interest and obligation to fulfil a task or perform a function in the public interest or protect members of the public. Where appropriate the Society may also rely on specific consent and/or contractual obligations.	Information may be sourced/checked by reference to the Society's records or third parties such as: firm files, client files and accounting records of the relevant practice unit, Members, SLCC, SLAB, SSDT and other regulators	Application documentation will generally be kept for 5 years. Where it relates to a member's status/record, information will be kept indefinitely

	Applications for recognition, renewal or status outside the Society's Rules, or statutes. For example: Student Associates	Staff and committees	Primarily the Society will rely on its legitimate interest and obligation to fulfil a task or perform a function in the public interest or protect members of the public. Where appropriate the Society may also rely on specific consent and/or contractual obligations.	Information may be sourced/checked by reference to the Society's records or third parties such as: Disclosure Scotland, academic institutions, the SQA and other regulators	Application documentation will generally be kept for 5 years. Where it relates to a member's status/record, information will be kept indefinitely
CCTV	In the Society premises at Atria One Edinburgh	Authorised Staff and where appropriate law enforcement agencies such as the Police	Primarily the Society will rely on its legitimate interest and obligation to protect members of the public and its Staff, and to act in the public interest in assisting the detection and prevention of crime.	Information will not generally be gathered from other sources although note that Atria One is also subject to CCTV not in the Society's control and for which the Society is not responsible	CCTV records are retained for 30 days but may be held longer in the event of an incident or at the request of the police or other authority.
Complaints and submissions related to complaints	Complaints relating to Scottish solicitors.	Staff, committees and the SSDT	Primarily the Society will rely on the legal obligation flowing from the relevant statutory provisions. Additionally, the Society will rely on its legitimate interest and obligation to fulfil a task or perform a function in the public interest or protect members of the public. Where appropriate the Society may also rely on specific consent and/or contractual obligations.	Information may be sourced/checked by reference to the Society's records or third parties such as: the SLCC, firm files, client files and accounting records of the relevant practice unit, Disclosure Scotland, and other regulators	Information will generally be kept for 5 years. Information related to formal decisions affecting a member's status/record will be kept indefinitely
	Complaints relating to Society Staff	Appropriate managers and Staff, and the HR Team and where appropriate supporters and advisors	Primarily the Society will rely on the legal obligation flowing from the relevant statutory provisions. Additionally, the Society will rely on its legitimate interest and obligation to fulfil a task or perform a function in the public interest or protect members of the public. Where appropriate the Society may also rely on specific consent and/or contractual obligations.	Information may be sourced/checked by reference to the Society's records or third parties such as the complainant	Information will generally be kept for 5 years. Information related to formal decisions affecting a member's status/record will be kept indefinitely

CPD and training	In relation to the Society's CPD/TCPD training events, registration (which may include sensitive information related to health such as accessibility), attendance and marketing consent.	Staff and committees as well as venues and Suppliers involved in the preparation and delivery of such events	Primarily the Society will be relying on its legitimate interest in offering and providing training to its members as well as the benefit to the public in ensuring a competent profession. Where appropriate (and in particular in relation to non-members of the Society) the Society may also rely on specific consent and/or contractual obligations.	Information may be sourced/checked by reference to the Society's records. Information will not generally be gathered from other sources.	Information will generally be kept for 5 years. Where it relates to non-compliance with Rules, information will be kept for 10 years
	In relation to the Society's CPD/TCPD online recording tool which allows the capture of training provided by training suppliers.	Staff	Primarily the Society will rely on its legitimate interest and obligation to fulfil a task or perform a function in the public interest or protect members of the public in ensuring compliance with its Rules and the competence of the profession	If you record on our online system your CPD/TCPD training record (including from other suppliers) you will be sharing that information with us	Information will generally be kept for 5 years.
	In relation to the Society's monitoring of membership compliance with their CPD/TCPD obligations	Staff, committees and the SSdT	Primarily the Society will rely on its legitimate interest and obligation to fulfil a task or perform a function in the public interest or protect members of the public in ensuring compliance with its Rules and the competence of the profession	Information may be sourced/checked by reference to the Society's records or third parties such as: CPD/TCPD providers	Information will generally be kept for 5 years. Where it relates to non-compliance with Rules, information will be kept for 10 years
Qualifications and Examinations	Including traineeships, Society exams, accredited specialisms, solicitor advocate qualifications etc	Staff, examiners, assessors and committees	Primarily the Society will rely on its legitimate interest and obligation to fulfil a task or perform a function in the public interest or protect members of the public in ensuring compliance with its Rules and the competence of the profession	Information may be sourced/checked by reference to the Society's records or third parties such as: the SLCC, Disclosure Scotland, academic institutions, other training providers, referees, the SQA and other regulators	Information will generally be kept for 5 years. Where it relates to a member's status/record, information will be kept indefinitely.
	Participation in our Streetlaw programme, Donald Dewar Debating competition and other outreach work	Staff, committees, Suppliers and Advisors where appropriate	Primarily the Society will rely on the schools managing consent and pupil/participant data	Information will not generally be gathered from other sources beyond the participating Schools.	Information will generally be kept for 1 year

General enquiries	By e-mail, on-line services, telephone, interview or other means	Staff, committees, Suppliers and Advisors where appropriate	Primarily the Society will rely on its legitimate interest and obligation to fulfil a task or perform a function in the public interest or protect members of the public. Where appropriate the Society may also rely on specific consent and/or contractual obligations.	Information will not generally be gathered from other sources beyond Society's records, and Suppliers and Advisors.	Information will generally be kept for 1 year unless regulatory action is taken in which case it will be retained for 5 years. Where it relates to a member's status/record, information may be kept indefinitely.
Governance	Council and committees supporting the work of the Society - agendas and minutes	Staff and committees	Primarily the Society will rely on its legitimate interest and obligation to fulfil a task or perform a function in the public interest or protect members of the public in ensuring compliance with its Rules and the competence of the profession	Information may be sourced/checked by reference to the Society's records or third parties such as Disclosure Scotland, academic institutions, the SQA, SLCC, SLAB, SSDT, referees and other regulators	Information will generally be kept for 5 years. Committee minutes will generally be kept indefinitely.
Human resources	Employment and all related processes such as recruitment, grievance and disciplinary processes	HR and Finance team Staff, Senior management and Board/Council where appropriate and Advisors where appropriate	Primarily the Society will rely on the legal obligation flowing from the relevant statutory provisions. Additionally, the Society will rely on its legitimate interest and obligation to fulfil a task or perform a function in the public interest or protect members of the public. Where appropriate the Society may also rely on specific consent and/or contractual obligations.	Information may be sourced/checked by reference to the Society's records or third parties such as: HMRC, DWP, former employers, other referees, academic institutions, the SQA and other regulators	Information will generally be kept for 7 years. Where it relates to Staff status/record, information may be kept indefinitely
Finance	Payments and receipts including Staff payments, taxation and pensions. Bank details (though we do not retain credit or debit card numbers)	Finance team Staff, Senior management and Board/Council where appropriate	Primarily the Society will rely on the legal obligation flowing from the relevant statutory provisions. Additionally, the Society will rely on its legitimate interest and obligation to fulfil a task or perform a function in the public interest or protect members of the public. Where appropriate the Society may also rely on specific consent and/or contractual obligations.	Information may be sourced/checked by reference to the Society's records or third parties such as: Companies House, credit referencing agencies, Suppliers, members of the Society, HMRC, DWP and debt agencies such as the Student Loans Company.	Information will generally be kept for 7 years. Where it relates to Staff status/record, information may be kept indefinitely

Inspections	In the course of inspections personal data relating to individual solicitors and their clients may be subject to compliance review	Staff, committees, relevant authorities , regulators and the SSDT	Primarily the Society will rely on its legitimate interest and obligation to fulfil a task or perform a function in the public interest or protect members of the public. Where appropriate the Society may also rely on specific consent and/or contractual obligations. Additionally, the Society may rely on the legal obligation flowing from the relevant statutory provisions or from its obligations to comply with the terms of any court order or authority granted to it in respect of an intervention.	Information may be sourced/checked by reference to the Society's records, the practice unit's records, or third parties such as: banks, courts and other practice units.	Information will generally be kept for 5 years or (if later) until the next full inspection. Where it relates to non-compliance with Rules or to a member's status/record, information may be kept indefinitely.
Interventions	In the course of interventions personal data relating to individual solicitors and their clients may be subject to review	Staff, committees, relevant authorities , regulators and the SSDT	Primarily the Society will rely on its legitimate interest and obligation to fulfil a task or perform a function in the public interest or protect members of the public. Where appropriate the Society may also rely on specific consent and/or contractual obligations. Additionally, the Society may rely on the legal obligation flowing from the relevant statutory provisions.	Information may be sourced/checked by reference to the Society's records, the practice unit's records, or third parties such as: banks, courts and other practice units.	Information will generally be kept for 5 years or for the period specified in the Society's guidance on the retention of client files. Client papers such as wills and titles will be kept until they can be transferred appropriately.
Marketing	Including the Society's member benefits scheme, certain non-core research, training for non-members and charitable activity	Staff and committees	Primarily the Society will rely on specific consent and/or contractual obligations.	Information will not generally be gathered from other sources beyond Society's records.	Information will generally be kept for 5 years or (if consent is relied upon as the lawful basis for processing) until consent is withdrawn
	Member news such as the Journal, fraud alerts, information relating to practice legislation and Rules, as well as career development, CPD and training events.	Staff and committees	Primarily the Society will rely on its legitimate interest and obligation to fulfil a task or perform a function in the public interest or protect members of the public in ensuring compliance with its Rules and the competence of the profession	Information will not generally be gathered from other sources beyond Society's records.	Information will generally be kept for 5 years or (if consent is relied upon as the lawful basis for processing) until consent is withdrawn

	Video and photography for communication, training, archive and other purposes	Staff, Members, committees and the public depending on the nature and purpose	Primarily the Society will rely on specific consent and/or contractual obligations.	Information will not generally be gathered from other sources beyond Society's records.	Information will generally be kept for 5 years or (if consent is relied upon as the lawful basis for processing) until consent is withdrawn. Archive material providing a record of the Society's business may be kept indefinitely
Membership	All those matters subject to the Society's regulation either in terms of statute, regulation, Rules or otherwise and information around tasks such as status, renewal, elections, Smartcards, general meetings etc	Staff and committees	Primarily the Society will rely on its legitimate interest and obligation to fulfil a task or perform a function in the public interest or protect members of the public. Where appropriate the Society may also rely on specific consent and/or contractual obligations. Additionally, the Society may rely on the legal obligation flowing from the relevant statutory provisions.	Information may be sourced/checked by reference to the Society's records or third parties such as other regulators	Information will generally be kept for 5 years. Where it relates to a member's status/record, information will be kept indefinitely.
Professional support		Staff and committees	Primarily the Society will rely on its legitimate interest and obligation to fulfil a task or perform a function in the public interest or protect members of the public. Where appropriate the Society may also rely on specific consent and/or contractual obligations.	Information will not generally be gathered from other sources beyond Society's records.	Information will generally not be kept except where it relates to a member's status/record where it may be kept indefinitely.
Research	Deemed to be core to the society's Statutory and/or legitimate obligations	Staff and committees	Primarily the Society will rely on its legitimate interest and obligation to fulfil a task or perform a function in the public interest or protect members of the public. Where appropriate the Society may also rely on specific consent and/or contractual obligations.	Information may be gathered by third parties acting on behalf of the Society.	Information will generally be anonymised but identifiable information may be kept for 5 years or (if consent is relied upon as the lawful basis for processing) until consent is withdrawn

System access and system security, support and Maintenance	Including monitoring, compliance reporting, remote working/access and member self-service etc.	Staff, primarily the IT team	Primarily the Society will rely on its legitimate interest and obligation to fulfil a task or perform a function in the public interest or protect members of the public. Where appropriate the Society may also rely on specific consent and/or contractual obligations.	Information may be sourced/checked by reference to the Society's records or third parties such as other regulators	Information will generally be kept for 5 years and information provided where it relates to a member's status/record will be kept indefinitely.
--	--	------------------------------	---	--	---

Notes and glossary

Advisors includes system providers, contractors, agents and others engaged to support the work of the Society.

Automated decision-making the Society does not currently use automated decision-making systems

CCBE Council of Bars and Law Societies of Europe

Children If you are aged under 14, we will need consent from your parent or guardian in order for you to use our services.

Committees, includes Office Bearers, committees, subcommittees, working parties, council and board as well as assessors, CCBE markers and ad hoc bodies and appointees.

DWP the Department for Work and Pensions, and any other similar government department or body

HMRC HM Revenue & Customs

International transfers information will not be processed outside the EEA/countries offering adequate data protection standards in unencrypted form

Rules includes all of the rules and regulations of the Society as well as those of the Scottish Solicitors Discipline Tribunal

Society the Law Society of Scotland

Staff includes Law Society of Scotland employees, contractors and temporary staff

Statute includes all legislation, statutory instruments and regulations relating to the governance of solicitors as generally detailed in the Solicitors Professional Handbook

SLAB Scottish Legal Aid Board

SLCC Scottish Legal Complaints Commission

SQA Scottish Qualifications Authority

SSDT Scottish Solicitors Discipline Tribunal

Suppliers includes system providers, contractors, agents and others engaged to support the work of the Society.

Time limits for retention the Society aim to destroy material within 12 months of target retention periods

Lawful basis for Processing

Consent: the individual has given clear and informed consent for the Society to process their personal data for a specific purpose.

Contract: the processing is necessary for a contract the Society has with the individual, or because they have asked the Society to take specific steps before entering into a contract.

Legal obligation: the processing is necessary for the Society to comply with the law (not including contractual obligations).

Vital interests: the processing is necessary to protect someone's life.

Public task: the processing is necessary for the Society to perform a task in the public interest or for its official functions, and the task or function has a clear basis in law.

Legitimate interests: the processing is necessary for the legitimate interests of the Society or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests.

As a Statutory body with legal and regulatory obligations much of the Society's processing relies on more than one of the above

More information or requests to change or delete information contact us at informationofficer@lawscot.org.uk