

INSOLVENCY SERVICES : PRIVACY NOTICE
General Data Protection Regulations : Data Protection Act 2018

Glossary of terms

In this privacy notice, the following terms apply :

“MJMR” refers to Michael J M Reid in his capacity as licensed insolvency practitioner i.e. administrator, liquidator, trustee or advisor.

“MR&Co” refers to Meston Reid & Co, chartered accountants, 12 Carden Place, Aberdeen, AB10 1UR (www.mestonreid.com).

“You” refers to the data subjects concerned by the relevant insolvency proceedings e.g. employees, creditors and debtors.

“Nexia” refers to Nexia International (www.nexia.com), a global network of independent accounting and consulting firms which operate in over 115 countries. MR&Co is a member firm.

Data processing

MJMR may collect and process your personal data in order to meet his legal and regulatory obligations under the Insolvency Act 1986, The Insolvency (Scotland) Rules 1986, Bankruptcy (Scotland) Act 2016, and all ancillary/supporting legislation.

MR&Co may process your personal data for the legitimate interests of assisting MJMR in the performance of his legal and regulatory obligations with regard to the insolvency proceedings under his control and, for the avoidance of doubt, the insolvent entity remains the data controller of personal data processed for purposes that are not related to MJMR’s legal and regulatory obligations.

Both MJMR (ZA105526) and MR&Co (Z4834138) are registered with the Information Commissioner as data controllers.

Use of personal data

MJMR and/or MR&Co may process your personal data as part of the professional services delivery. The following list, which is not exhaustive, provides examples of the purposes for which your personal data may be processed :

- communicating with the insolvency entity’s creditors because knowledge of personal information may be necessary in order to discharge statutory duties under the Insolvency Act 1986 etc. Information may be used to assess an entitlement to any dividend should one be payable;
- provision of reports to government departments, regulatory authorities, appropriate bodies in connection with the holding of public office, or responding to requests;
- provision of statutory returns;
- case administration purposes including the realisation of assets, agreement of claims and payment of distributions;
- dealing with employees in accordance with the law and the insolvent entity’s own policies, including employee claims for unpaid entitlements;
- administration of payroll, raising invoices, credit control and other data;
- the reasonable and lawful provision of information to interested parties;
- the prevention and detection of crime or fraud;

INSOLVENCY SERVICES : PRIVACY NOTICE
General Data Protection Regulations : Data Protection Act 2018

- establishing, exercising or defending legal rights, taking legal advice, taking or defending legal proceedings;
- complying with certain legal obligation to which the insolvent entity may be subject;
- quality and risk management purposes.

The types of personal data that may be processed for the above purposes include, but are not limited to, name, address, identifying information, payroll information, as well as any information which may be necessary for the performance of MJMR's statutory obligations during insolvency proceedings.

Please note that your personal data may be shared with third-party processors in order to provide ancillary services that MJMR and/or MR&Co deems appropriate for the overall performance of the insolvency procedures such as automated scans to identify harmful emails.

Transfer of data to countries outside the EEA

In performing his legal and regulatory obligations, MJMR and/or MR&Co may transfer your personal data between countries in which Nexia member firms operate and including countries located outside the European Union. The purpose of transferring personal data between Nexia member firms is primarily to achieve jurisdiction guidance on specific matters.

Access to data

You have a right to access your personal data held by MJMR and/or MR&Co and can exercise that right by contacting MR&Co/MR&Co. The aim is to respond to all requests promptly and within the statutory time limit of forty days.

Update of personal data

Should you wish to update personal data held by MJMR and/or MR&Co, please use the contact details at the end of this privacy notice. If we have notification that personal data held is no longer accurate, it will be updated based on the information provided.

Data retention

Security is enabled within the systems used to process your personal data so that only MJMR and authorised MR&Co personnel are able to access it. MJMR and/or MR&Co will retain personal data in accordance with the legal and regulatory obligations prevailing at the time.

MJMR and/or MR&Co will destroy all insolvent entity records held three months after the date of the final meeting (actual/virtual/postal) in an insolvency proceeding at which, MJMR receives his release from appointment.

MJMR and/or MR&Co may retain the personal data collected in respect of their obligations under insolvency legislation for up to ten years after the date of the end of the insolvency procedure.

Individual rights

If you are not satisfied with the way your complaint was resolved, please refer to the MR&Co complaints procedure which can be found on the MR&Co insolvency website (www.scotdebt.net). You may also refer the matter to a court of competent jurisdiction.

INSOLVENCY SERVICES : PRIVACY NOTICE
General Data Protection Regulations : Data Protection Act 2018

In the UK, the Information Commissioner is the government agency responsible for all data protection matters and anyone who feels that their complaint has not been handled correctly can contact the Information Commissioner (details at the foot of this document).

Contact details

If you have any questions about this privacy statement or how and why either MJMR or MR&Co process personal data please contact :

Name : Michael J M Reid CA

Address : Meston Reid & Co
12 Carden Place
Aberdeen
AB10 1UR

Telephone : 01224 625554

Fax : 0224 626089

Email : reidm@mestonreid.com

Information Commissioner	:	Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF	or	45 Melville Street Edinburgh EH3 7HL
Website	:	www.ico.org.uk		www.scotland.ico.org.uk
Telephone	:	0303 123 1113		0303 125 1115

Last updated : July 2018