



AUDITOR OF THE COURT OF SESSION

Privacy Notice

The Auditor of the Court of Session is an officer of the court who is appointed primarily to “tax” or officially determine the amount of legal fees and outlays which are recoverable by parties in civil court cases. The Auditor also taxes solicitors’ accounts to their clients and accounts in relation to judicial factors, trustees in bankruptcies and liquidators of companies.

If you are involved in a taxation, the Auditor’s office is likely to process your personal data and retain some of it. This processing is necessary for the performance of a task carried out in the public interest, in the exercise of official authority vested in the Auditor, and for the establishment, exercise or defence of legal claims.

The personal data processed by the Auditor’s office will initially be obtained from the accounts lodged and will consist of names and reference numbers of court cases and names and addresses (postal and e-mail) of parties and/or their solicitors. This information will be entered on case sheets.

In the course of taxations, the Auditor’s office will correspond with parties and will issue notices intimating “diets” or hearings, invoices for fees, and Auditor’s reports. Daily lists of diets will be produced and a record of those attending diets will be taken.

All personal data is stored on the Auditor’s electronic filing system and is accessed only by him and his staff.

Hard copies of case sheets and correspondence will be retained by the Auditor’s office for a period of at least 10 years before being destroyed. (Copies of taxed accounts are not routinely retained.) The office is secure and is accessible outwith office hours only by the Auditor, his staff and a small number of security and cleaning staff employed by the Scottish Courts and Tribunal Service.

For purposes of taxations, the Auditor’s office will also receive Court processes and solicitors’ files and papers, but these will be retained on a temporary basis only and will be returned at the end of the taxation.

The personal data processed by the Auditor’s office will not be shared with anyone else.

If you require access to your own personal data held by the Auditor’s office, it can be provided to you if you make a subject access request. Some limitations do, however, apply. For example, personal data might not be disclosed if its release could lead to the disclosure of personal information about another person who could be identified from that information. Each decision will be made on a case by case basis and explained to you.

An application form can be obtained by writing to the address below.

The form must be completed and signed and should explain the information you hope to obtain. To help establish your identity, photocopies of two official documents must accompany your application, which between them clearly show your name, your date of birth and your current address

You should then submit the form and identification to:

The Auditor of the Court of Session
Parliament House
Parliament Square
EDINBURGH
EH1 1RQ

Or email maildesk@auditorcos.org.uk.

If you consider that a request for access to your personal data was not dealt with in accordance with data protection law, you may complain to the UK Information Commissioner who can be contacted at:

Information Commissioner's Office
Wycliffe House Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113

Website: www.ico.org.uk