

ACCOUNTANT IN BANKRUPTCY : DATA PROTECTION POLICY

Our mission is to administer the sequestration process effectively in an independent manner, taking account of the rights and interests of those involved.

In working towards achieving our mission, and in order to operate, we need to collect and use certain types of personal information about people. We will obtain and hold personal information about individuals, and disclose information to:-

- individuals who have been sequestered,
- relatives, guardians or other persons associated with individuals who have been sequestered,
- current, past or prospective employers of individuals who have been sequestered,
- staff, including agents, volunteers, and temporary and casual workers,
- complainants, correspondents and enquirers,
- advisers, consultants and other professional experts,
- offenders and suspected offenders, and
- other individuals and parties necessary to administer the affairs of persons who have been sequestered.

In addition, we are required by law to collect and use certain types of personal information to allow us to comply with legislation on, for example, health and safety, equal opportunities and disability discrimination. Personal information which we acquire, hold and use must be dealt with properly however it is collected, recorded and used - whether on paper, in a computer, or recorded on other material - and the Data Protection Act 1998 lays down safeguards to ensure this.

Accountant in Bankruptcy is committed to ensuring that the provisions of the Data Protection Act 1998 are fully complied with.

We regard the lawful and correct treatment of personal information as very important to the success of our operations, and to maintaining confidence between those with whom we deal and ourselves. We are committed to ensuring that AiB treats personal information lawfully and correctly.

Accountant in Bankruptcy fully endorses and, in all relevant circumstances, will adhere to the Principles of data protection as embodied in the Data Protection Act 1998.

Specifically, the Principles require that personal information;

1. shall be processed fairly and lawfully and, in particular, shall not be processed unless specific conditions are met;
2. shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes;
3. shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed;
4. shall be accurate and, where necessary, kept up to date;

5. shall not be kept for longer than is necessary for that purpose or those purposes;

6. shall be processed in accordance with the rights of data subjects under the Act.

In addition:-

7. appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data; and

8. personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

Accountant in Bankruptcy will, through appropriate management and strict application of criteria and controls;

- fully observe conditions regarding the fair collection and use of information;
- meet our obligations to specify the purposes for which information is used;
- collect and process appropriate information only to the extent that it is needed to fulfil operational needs or to comply with any legal requirements;
- ensure the quality of information used;
- apply checks to determine the length of time information is held;
- ensure that the rights of people about whom information is held can be fully exercised under the Act. (These include: the right to be informed that processing is being undertaken; the right to access to one's personal information; the right to prevent processing in certain circumstances; the right to correct rectify, block or erase information which is regarded as wrong information.);
- take appropriate technical and organisational security measures to safeguard personal information;
- ensure that personal information is not transferred abroad without suitable safeguards.
- ensure everyone managing and handling personal information understands that they are responsible for following good data protection practice;
- ensure everyone managing and handling personal information is appropriately trained to do so;
- ensure everyone managing and handling personal information is appropriately supervised;
- ensure anybody wishing to make enquiries about handling personal information knows what to do;

- ensure queries about handling personal information are promptly and courteously dealt with;
- ensure methods of handling personal information are clearly described;
- ensure a regular view and audit is made of the way personal information is managed;
- ensure methods and performance of handling personal information are regularly assessed and evaluated.

Accountant in Bankruptcy will not provide access to or even disclose the existence of personal data where it would be likely to prejudice any ongoing investigations or enquiries.

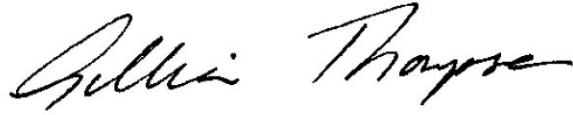
In relation to some data subject access requests the AIB may be entitled to rely on certain exemptions under the DPA which will mean that the personal data or some of the personal data ought not to be released. In some cases the exemption may only be temporary. We will not provide:

- a copy of any personal data to the extent that doing so would prejudice negotiations over asset realisation although this personal data may be disclosed where the negotiation in relation to the asset has been concluded.
- a copy of any personal data that consist of information in respect of which a claim to legal professional privilege or, in Scotland, a claim to confidentiality as between client and professional legal adviser, could be maintained in legal proceedings.
- a copy of any personal data which are processed by the AIB for the purposes of management forecasting or management planning to assist the AIB in the conduct of any business or other activity in any case to the extent to which the disclosure would be likely to prejudice the conduct of that business or other activity.
- a copy of any personal data that relate directly to matters of policy or process.
- a copy of any personal data processed by the AIB for regulatory or supervisory purposes conferred on the AIB by statute to the extent to which that disclosure would prejudice those purposes.
- a copy of any personal data processed by the AIB for the purpose of protecting members of the public against:-
 - a) financial loss due to the conduct of discharged or undischarged bankrupts, or
 - b) dishonesty, malpractice or other seriously improper conduct by, or the unfitness or incompetence of, persons authorised to carry on any profession or other activity.
- correspondence between the individual and AIB or vice versa, unless specifically asked to do so.

When considering third party information AiB will have to seek authority to release the information. Whether authority is forthcoming or not AiB may decide to release the information anyway.

Accountant in Bankruptcy will also seek to ensure that there is someone with specific responsibility for data protection in the organisation. Currently, the nominated person is:-

- ° Roslyn McCracken
Data Protection Officer
Accountant in Bankruptcy
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Kilwinning
Ayrshire KA13 6SA
Tel: 0845 612 6481
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Gillian Thompson
Chief Executive

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