

# **The Official Solicitor and your personal information**

## **Privacy policy**

The policy tells you what personal information the Official Solicitor

- holds about you
- what she can do with it
- how she stores the information
- how you can get a copy of your information
- how you can complain if you think the Official Solicitor has not handled your information correctly

Personal information is also called personal data

## **Who is the Official Solicitor?**

Her full job title is the Official Solicitor to the Senior Courts

The Official Solicitor is appointed under an Act of Parliament called the Senior Courts Act 1981

## **What is the Official Solicitor's job?**

The Official Solicitor's job is to make decisions for people who do not have the mental capacity to represent themselves or instruct a solicitor:

- in civil and family court cases
- in cases in the Court of Protection.

The courts can ask the Official Solicitor to do other things as well.

## **What is mental capacity?**

Having mental capacity means being able to make your own decision about something

## **Why does the Official Solicitor have people's personal information?**

The Official Solicitor needs to collect and use personal information about people to do his job

## **What personal information does the Official Solicitor hold?**

The Official Solicitor holds personal information about

- people she acts for in court cases
- other people in the court cases

- people who have an interest in a Trust
- people who have an interest in the Estate of someone who has died

Personal information is general information about you such as your name and date of birth. Some information is more sensitive because it is about things like your health

### **Where does the Official Solicitor get information from?**

The Official Solicitor gets information from court documents

She can also get information from

- you
- your family
- your carers
- your solicitor
- professionals such as doctors and social workers
- financial institutions such as banks
- other agencies such as DWP

### **What does the Official Solicitor use the information for?**

The Official Solicitor uses the information to help her

- decide if she will act for you
- work out how to pay your legal costs
- understand what you want to happen
- make decisions in court cases
- make decisions about Trusts

OSPT policy is not to use artificial intelligence when working with personal data.

### **Who does the Official Solicitor share information with?**

The Official Solicitor shares information with

- the Legal Aid Agency
- the courts
- other people involved in the case
- legal professionals involved in the case
- other people or bodies when necessary to look after your interests, including when she is acting as Trustee or as executor of an estate

### **How long does the Official Solicitor keep information for?**

The Official Solicitor keeps information

- only for as long as it is needed or
- when she has to because of his job

If she decides not to act for you she keeps your information for 2 years

If she agrees to act for you

- when you are a child she keeps your information until you are 24
- when you are an adult she keeps your information for 6 years after the case is finished

If she acts for a Trust or an Estate she keeps information for 6 years after the file is closed

If she acts as Judicial Trustee she keeps information for an unlimited time

### **Can I see the information the Official Solicitor holds about me?**

You can ask to see your information

Email: [enquiries@ospt.gov.uk](mailto:enquiries@ospt.gov.uk)

### **Can I tell the Official Solicitor if my information is wrong?**

You can tell the Official Solicitor if your information is wrong

If the Official Solicitor agrees it is wrong she will change it

If the Official Solicitor thinks the information is right she will add a note to say you do not agree

### **How does the Official Solicitor look after my information?**

The Official Solicitor stores your information securely


She only sends sensitive information about you to other people by secure means

### **To find out more**

You can contact the Official Solicitor if you have questions about


- this privacy notice
- the information she holds about you
- how she handles your information


email: [enquiries@ospt.gov.uk](mailto:enquiries@ospt.gov.uk)

 Official Solicitor & Public Trustee  
Post Point 0.53  
102 Petty France  
London  
SW1H 9AJ

### **Making a complaint**

If you are concerned about how the Official Solicitor handles your information you can contact the Information Commissioner

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

 0303 123 1113