

SPALDING & CO. LTD – PRIVACY POLICY

Spalding & Co. Ltd is registered with the Information Commissioner's Office under registration reference: Z2435141.

We are committed to ensuring that your privacy is protected and our use of your personal information is governed by this Privacy Notice.

Introduction

Our firm is a controller for the personal information that it collects and uses about you. We will handle your personal information as confidential and in accordance with General Data Protection Regulations (as amended). Your personal information will only be shared with others in accordance with this Privacy Notice.

This Privacy Notice explains;

- What personal information is
- How we collect and use your personal information
- The legal basis for processing information and how we share your personal information
- How long we keep your personal information and how we keep it secure
- Overseas transfers of your personal information
- Your rights in relation to your personal information
- Complaints and contact details
- Cookies and third party sites

If there are any changes to the ways in which your personal information is used, this Privacy Notice will be updated.

1. What personal information is

Personal Information is any data that tells us something about you, this includes information such as; name, date of birth, contact information, bank details or data about your circumstances, which makes you an identifiable person. Some data is defined as "special" e.g. health, race/ethnic origin, sexual orientation, political views or religious beliefs and as such is more sensitive. We need further reason to collect, store and use this type of data and there are additional restrictions in circumstances which we are allowed to collect, store and use criminal conviction data. Reference to personal information or data within this notice includes "special" categories.

2. How we collect and use your personal information

We will collect your full name and contact details (such as telephone number(s), email address and correspondence address) when you engage with us.

In addition, if providing a service where we are required to do so by law, we will collect information relating to your identity, which will be at least one form of photographic identification (such as a driving licence or passport) and one form of documentation with proof of your place of residence (such as a recent utility bill or bank statement).

We will also enquire as to whether you have any relatives or close connections working within our company, in order to establish any potential conflict of interests and how to manage these, in accordance with legal and professional regulations.

Dependant on the services we are providing we may collect further personal details, outlined below;

Selling or Letting

- We will collect contact details to communicate with you in relation to enquiries, viewings, feedback, offers received and transactional matters arising thereafter and use this information for the purposes of fulfilling our obligations to you.
- Where you are not the legal owner of the property we will request details to evidence your capacity to sell or let the property, such as a Power of Attorney or Executor.
- We will collect your bank account details to arrange transfer of funds where necessary.

Buying or Renting

- Specific requirements so that we can match a suitable property to your needs and arrange a contract for sale or a lease.
- Your bank or other account details to facilitate the tenancy deposit procedure and rent payment.
- If you are a tenant under the 'Right to Rent' scheme we will request photographic identification and proof of residency.

Property Management

Where we are instructed to manage property, we will request personal information necessary to fulfil your instructions.

Other

- We are required to comply with anti-money laundering and counter terrorist regulations and we will collect information necessary to identify individuals in order to fulfil these requirements. If the customer is an entity such as a company, charity or trust, we may need to collect personal information about the controllers or beneficiaries of the entity. If you subscribe to receive marketing material from us, then, in addition to the above, we may collect further personal information.
- We will hold your data on our client management systems and may use this to offer appropriate services. You can opt out of receiving this information at any time.

3. The legal basis for processing your personal information and how we share your personal information

Under General Data Protection Regulations we are only allowed to use your personal data if we have a legal basis for doing so. We rely on the following legal bases to use your information;

- In order to fulfil the contract we have with you.
- To comply with a legal obligation.
- Where the processing is necessary in our legitimate interests, or the legitimate interests of a third party, unless there is a good reason to protect your personal data which overrides those legitimate interests, including:
 1. Processing data relevant in promoting our business and services, together with analysis of the effectiveness of these promotions. You have the right to opt out of this service at any time.
 2. Processing necessary in improving our sector knowledge – including market analysis and research, to provide us with a better understanding and knowledge for future customers.
 3. Operational processing for administrative aspects of our business including: verifying the accuracy of information held about you, processing such as outsourcing certain functions to third parties who specialise in such services; processing for network and information security purposes i.e. protection against loss, damage, theft or unauthorised access to your information, or to comply to a request from you in connection with the exercise of any of your rights outlined below.

In some limited circumstances we may need to rely on the following legal bases:

- Where we need to protect your (or someone else's) vital interests; and/or
- Where processing is necessary for us to perform a task in the public interest, or for official functions, and the task or function has a clear basis in law.
- You have given clear consent for us to process your personal data for a specific purpose.
- Processing is necessary for a contract we have with you, or because you have asked us to take specific steps before entering into a contract.
- Processing is necessary for us to comply with the law (not including contractual obligations).

Selling, Buying, Letting or Renting

- If you are selling or purchasing a property for which we are the acting agents, we will share your personal information with the solicitors acting for each party, as is necessary to facilitate the sale/purchase.
- If you are renting a property for which we are the appointed agent, we will share your personal information with third parties such as referencing agencies and others for the purposes of the prevention and detection of crime, fraud and/or money laundering and checking your suitability to rent that property.

Property Management

- Where we are managing property we may need to pass your personal information on to third party contractors whom we have engaged to provide specific services.

Other uses of your personal information

- Where you engage our services we may share your personal information with third party's such as lenders or insurance brokers in order to allow us to fulfil our obligations to you and offer appropriate advice.
- If we consider a sale or integration of any part of our business with another organisation your details may be disclosed to third parties. If Spalding & Co. is acquired, personal information held by us will be one of the transferred assets.
- We may disclose your personal information in order to obtain professional advice from lawyers, financial advisors or other third parties.
- We will share personal information with our regulators, professional bodies, governmental or quasi-governmental organisations, law enforcement authorities and with courts, tribunals and arbitrators as may be required.
- We may disclose your personal data to enforce our agreements with you or to protect our rights, property or safety, or that of our users. This includes sharing personal information with other organisations for fraud prevention.
- We may share your personal information with third party service providers including IT contractors and referencing agencies for the purposes of crime detection and prevention.

What happens if you do not provide information that we request?

If you do not provide the data necessary for us to provide our services to you we may not be able to fulfil our obligations, or provide certain services to you. If this is the case we will notify you at the time.

4. How long we keep your personal information and how we keep it secure

The time for which we hold your personal data is dependant on the nature of the services that we are providing. This period may be longer than that of the service provision when we are required to do so by statutory or regulatory obligations, or in the case of a legal claim.

We have security measures in place intended to combat unauthorised access to your personal data;

- Electronic files are stored on secure systems and access is limited to those using them for a legitimate business purpose.
- Hard files are stored in secure locations.

Hosted data is stored within secure systems and preventative measures are in place to protect against unauthorised access and external factors, wherever possible. We ensure access to personal information is restricted to Spalding & Co. employees, workers or other persons/third parties working with or on behalf of Spalding & Co., on a "need to know" basis.

5. Overseas transfers of your personal information

We may transfer, store, or process your personal information outside the UK and the European Economic Area (EEA). The laws in some countries may not provide as much legal protection for your personal information as in the EEA. By submitting your personal data, you agree to this transfer, storing or processing. Where we use service providers outside the EEA, we rely on approved data transfer mechanisms to safeguard your personal information in the recipient country. Transmission of information over the internet is not completely secure, however we will do our utmost to protect your personal data.

6. Your rights in relation to your personal information

- To know how we use your personal information.
- To gain access to the personal information that we hold for you.
- To request correction of your personal information, if necessary, where incorrect or incomplete.
- Request that we delete your personal data or restrict our processing activities if;
 1. We are continuing to process personal information beyond the period that is necessary or where you have raised an objection to our use of your personal data.
 2. Your personal information is inaccurate.
 3. We are relying on consent as the legal basis for processing and you withdraw this consent.
 4. The basis for processing is legitimate interest, you object to this processing and there is no overriding reason which allows us to continue processing.
 5. Your personal information has been processed unlawfully (i.e. in breach of General Data Protection Regulations).
 6. We are obliged to delete your personal data by law.
 7. We no longer need your personal information but you require us to keep it in connection with a legal claim.
- To request a copy of the personal data that you have provided to us.
- To object to us processing your personal information if we are relying on legitimate interests or public interest. If an objection is raised we will consider whether we have an overriding legitimate basis entitling us to continue processing your personal information;

If you would like to exercise any of your rights please contact property@spaldingandco.co.uk

7. Complaints and contact details

Complaints

If you have a complaint about how we use your personal information please contact Spalding & Co.'s Data Protection Officer at property@spaldingandco.co.uk who will try to assist with the matter. If we cannot resolve your issue, you can complain to the Information Commissioner's Office.

Contact details

If you have any queries or require further information in relation to our Privacy Policy, please do not hesitate to contact us by sending an email to property@spaldingandco.co.uk, writing to Spalding & Co. 15 Oak Street, Fakenham, Norfolk, NR21 9DX or calling us on 01328 862396.

8. Cookies and third party sites

Cookies are small text files downloaded to your computer when you visit certain websites, which allow the website to recognise a user's computer. Cookies are used to tailor a user experience, help navigate websites and to perform certain functions, such as a user preference and whether the user is logged in, as well as to provide information to the owners of the website. Web browsers do allow certain control of most cookies, through the web browser settings, including what cookies have been sent and how to manage/delete them. For further information please visit www.allaboutcookies.org

Third party sites accessed via our website are not covered by this Privacy Policy and Spalding & Co. accepts no responsibility or liability for the actions of any third party. You are advised to check the privacy policy of third party websites prior to submitting any personal information.