

Dated 02/01/2019

## Privacy Policy



**AUSTIN & ROE**  
INDEPENDENT ESTATE AGENTS

We ask that you read this privacy policy (“**Policy**”) carefully as it contains important information on who we are, how and why we collect, store, use and share personal information, your rights in relation to your personal information and on how to contact us and supervisory authorities in the event you have a complaint.

This Policy is divided into the following sections:

- Who we are
- Our website
- Our collection and use of your personal information
- Our legal basis for processing your personal information
- Who we disclose your personal information to
- Who we share your personal information with
- Retaining your personal information
- Whether information has to be provided by you, and if so why
- Cookies and similar technologies
- Marketing
- Your rights
- Keeping your personal information secure
- How to complain
- Changes to this Policy
- How to contact us

## **Who we are**

We are Austins Independent Estate Agents Limited trading as Austin & Roe Independent Estate Agents. We are a real estate agency and for more information see <http://www.austinandroe.co.uk/site/go/aboutUs>

We are registered as a data controller with the UK Information Commissioner’s Office and our data protection registration number is ZA472622.

When we are selling, purchasing, renting or financing a property for you (including surveying services) we collect, use and are responsible for your personal information. When we do so we are regulated under the General Data Protection Regulation which applies across the European Union (including in the United Kingdom) and we are responsible as ‘controller’ of that personal information for the purposes of those laws.

## **Our website**

Throughout our website we may link to other websites owned and operated by certain trusted third parties to make additional products and services available to you. These other third-party websites may also gather information about you in accordance with their own separate privacy policies. For privacy information relating to these other third-party websites, please consult their privacy policies as appropriate.

## **Our collection and use of your personal information**

We collect this personal information from you either directly, such as when you register with us, contact us or purchase products or services or indirectly, such as your browsing activity while on our website (see 'Cookies' below).

The personal information we collect about you depends on the particular services you require. Such information includes:

- your name, address and contact details
- date of birth
- bank account and payment details
- your financial position, status and history
- ID documents (including passports, drivers' licence, birth certificate or utility bill)
- details about your work or profession
- a number or code given to you by a government to identify who you are, such as a National Insurance number or passport number
- information about the services we provide to you
- your account details, such as username, login details
- details about you that are in public records such as the Electoral Register and information about you that is openly available on the internet

This website is not intended for use by children and we do not knowingly collect or use personal information relating to children.

None of the lists or examples provided in this Policy are intended to be exhaustive or fully representative of every individual.

## Our legal basis for processing your personal information

When we use your personal information, we are required to have a legal basis for doing so. There are various different legal bases upon which we may rely, depending on what personal information we process and why.

The legal bases we may rely on include:

- **consent** - where you have given us clear consent for us to process your personal information for a specific purpose:
  - ❖ to manage relationships with you;
  - ❖ to develop new ways to meet your needs;
  - ❖ to develop our business;
  - ❖ to develop and carry out marketing activities;
  - ❖ to provide advice or guidance about related products and services.
- **contract** - where our use of your personal information is necessary for a contract we have with you, or because you have asked us to take specific steps before entering into a contract:
  - ❖ to take steps (at your request) prior to entering into a contract;
  - ❖ to exercise rights set out in agreements or contracts;
  - ❖ to deliver products or services;
  - ❖ to update records;
  - ❖ to make and manage payments;
  - ❖ to manage fees and charges due on transactions;
  - ❖ to collect and recover money that is owed to us.
- **legal obligation** - where our use of your personal information is necessary for us to comply with the law (not including contractual obligations):
  - ❖ when you exercise your rights under data protection law and make requests;
  - ❖ for compliance and to observe laws and regulations that apply to us;
  - ❖ to verify your identity;
  - ❖ to make credit, fraud prevention and anti-money laundering checks;
  - ❖ to manage risks for us and you;
  - ❖ to detect, investigate, report and seek to prevent financial crime;
  - ❖ to run our business in an efficient and proper manner;

- ❖ to manage how we work with other businesses that provide products and services to you and us.
- **legitimate interests** - where our use of your personal information is necessary for our legitimate interests or the legitimate interests of a third party (unless there is a good reason to protect your personal information which overrides our legitimate interests):
  - ❖ for good governance, accounting and managing and auditing our business operations;
  - ❖ to respond to and seek to resolve complaints;
  - ❖ to run our business in an efficient and proper manner;
  - ❖ to develop and manage our services;
  - ❖ to manage how we work with other businesses and provide products and services to you and us;
  - ❖ to monitor emails, calls and other communications and activities with reference to your contract;
  - ❖ to provide advice or guidance about related products and services.

## **Further information**

For further details on when we collect personal information as well as how we use it, please read the following sections:

When information is collected	How and why we use your information
<ul style="list-style-type: none"> <li>❖ When you register with us or through other correspondence.</li> <li>❖ When you subscribe to our marketing communications.</li> <li>❖ When we provide you with any of our services.</li> <li>❖ When we carry out anti-money laundering, financial and credit checks as well as for fraud and crime prevention and detection purposes.</li> <li>❖ When you access our systems and applications.</li> <li>❖ When we comply with our legal and regulatory obligations, including reporting to and being audited by regulators and external auditors.</li> <li>❖ When we comply with court orders and exercise and defend our legal rights.</li> <li>❖ When you send personal information to us which we use for legitimate business purposes.</li> </ul>	<ul style="list-style-type: none"> <li>❖ To allow you to use any of the services that we may provide through our website or third-party websites.</li> <li>❖ To supply you with our services.</li> <li>❖ To send statements, invoices and payment reminders to you or your solicitors, or to collect payments from you.</li> <li>❖ To send you marketing communications.</li> <li>❖ To deal with enquiries and complaints.</li> <li>❖ To carry out money laundering, financial and credit checks.</li> <li>❖ To use tracing services to obtain your onward contact details and to collect any unpaid debts for any default by you.</li> <li>❖ To ensure appropriate access to systems and applications.</li> <li>❖ To comply with our legal and regulatory obligations.</li> </ul>

## Who we disclose your personal information to

We will only disclose your personal information in the circumstances set out in this Policy or subject to any agreements in place with you.

We will disclose your personal information:

- ❖ to third parties who process personal information on our behalf;
- ❖ to third parties who process personal information on their own behalf but provide us or you with a service on our behalf;

- ❖ to third parties for anti-money laundering checks, credit risk reduction, debt collection and other fraud and crime prevention purposes;
- ❖ to any regulator, external auditor or applicable body or court where we are required to do so by law or regulation or as part of any investigation;
- ❖ to any central or local government department and other statutory or public bodies, such as HMRC;
- ❖ if the law and other statutory or a public authority says we must share the personal information;
- ❖ if we need to share personal information in order to establish, exercise or defend our legal rights (this includes providing personal information to others for the purposes of preventing fraud or reducing credit risk);
- ❖ to any other successors in title to our business.

## **Who we share your personal information with**

To provide our services to you we may share the personal information that you supply with several third parties who will process your personal information on our behalf as part of their contracts with us. They include (but are not limited to):

- utility contractors;
- handymen;
- inventory inspectors; and
- estate sales and let boards distributors.

The policy we apply to those third parties to keep your data safe and to protect your privacy is:

- we provide only the information they need to perform their specific services;
- they may only use your data for the exact purposes we specify in our contract with them;
- we work closely with them to ensure that your privacy is respected and protected at all times;
- if we stop using their services, any of your data held by them will either be deleted or rendered anonymous.

To provide our services to you we may share the personal information that you supply with several third parties who will process personal information on their own behalf but provide us or you with a service on our behalf. They include (but are not limited to):

- mortgage brokers;
- landlords; and
- solicitors.

## **Retaining personal information**

Whenever we collect your personal information (whether or not you become a customer), we will keep it only for as long as necessary for the purpose for which it was collected. At the end of the retention period, your data will be deleted.

Details of our retention periods are as follows:

- ❖ **Queries** – we will retain your personal information as long as necessary to deal with any queries you may have (e.g. if your potential transaction is unsuccessful).
- ❖ **Claims** – we will retain your personal information for as long as you might legally bring a claim against us.
- ❖ **Legal and regulatory requirements** – we will retain your personal information after your contract or service with us has come to an end based on legal and regulatory requirements (such as our accounting and insurance obligations).

## **Whether information has to be provided by you, and if so why**

We require you to provide your personal information (such as contact details) to enable us to provide services to you. We will inform you at the point of collecting information from you, whether you are required to provide the information to us.

## **Cookies and similar technologies**

A cookie is a small text file which is placed onto your device (e.g. computer, smartphone or other electronic device) when you use our website. We use cookies on our website. These help us recognise you and your device and store some information about your preferences or past actions.

For further information on our use of cookies, please see our cookie policy on our website.

For further information on cookies generally visit [www.aboutcookies.org](http://www.aboutcookies.org) or [www.allaboutcookies.org](http://www.allaboutcookies.org).



## Marketing

We would like to support you further by sending you information about products and services, which may be of interest to you. Where we have your consent, or it is in our legitimate interests to do so, we may do this by post, email, telephone, text message (SMS) or automated call.

We would also like to share your information with selected third parties so that they may send you information about their products and/or services, depending on what you agree with us.

We will only ask whether you would like us and other businesses to send you marketing messages when you tick the relevant boxes when you register with us.

If you have previously agreed to being contacted in this way, you can unsubscribe at any time by:

—contacting us at [sales@austinandroe.co.uk](mailto:sales@austinandroe.co.uk), write to Granville Square, 75a High Street, Stone, Staffordshire, ST15 8AE or call 01785 338570

—using the 'unsubscribe' link in emails or 'STOP' number in texts

It may take up to 5 days for this to take place.

For more information on your rights in relation to marketing, see 'Your rights' below.

## Your rights

Under the [General Data Protection Regulation](#), you have a number of important rights free of charge. In summary, those include rights to:

- fair processing of information and transparency over how we use your use personal information
- access to your personal information and to certain other supplementary information that this Privacy Notice is already designed to address
- require us to correct any mistakes in your information which we hold
- require the erasure of personal information concerning you in certain situations
- receive the personal information concerning you which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit those data to a third party in certain situations
- object at any time to processing of personal information concerning you for direct marketing

- object to decisions being taken by automated means which produce legal effects concerning you or similarly significantly affect you
- object in certain other situations to our continued processing of your personal information
- otherwise restrict our processing of your personal information in certain circumstances
- claim compensation for damages caused by our breach of any data protection laws

For further information on each of those rights, including the circumstances in which they apply, see the [Guidance from the UK Information Commissioner's Office \(ICO\) on individuals' rights under the General Data Protection Regulation](#).

If you would like to exercise any of those rights, please:

- email, call or write to our Data Protection Office Samantha Austin c/o Granville Square, 75a Hight Street, Stone, Staffordshire, ST15 8AE, 01785 338570, [sales@austinandroe.co.uk](mailto:sales@austinandroe.co.uk)
- let us have enough information to identify you
- let us have proof of your identity and address (a copy of your driving licence or passport and a recent utility or credit card bill), and
- let us know the information to which your request relates, including any account or reference numbers, if you have them

## **Keeping your personal information secure**

We have appropriate security measures in place to prevent personal information from being accidentally lost or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

Where data is stored electronically, we store all personal information on secure servers with relevant access and firewall controls.

Where data is stored on paper, all personal information is locked away when not in use and disposed of securely after use either using document shredders or third-party disposal organisations who have been contracted to dispose of documents appropriately.

All personal information sent to us, either in writing or email, may be insecure in transit and we cannot guarantee its delivery.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

If you want detailed information from Get Safe Online on how to protect your information and your computers and devices against fraud, identity theft, viruses and many other online problems, please visit [www.getsafeonline.org](http://www.getsafeonline.org). Get Safe Online is supported by HM Government and leading businesses.

## **How to complain**

We hope that our Data Protection Officer can resolve any query or concern you raise about our use of your information.

The General Data Protection Regulation also gives you right to lodge a complaint with a supervisory authority, in particular in the European Union (or European Economic Area) state where you work, normally live or where any alleged infringement of data protection laws occurred. The supervisory authority in the UK is the Information Commissioner who may be contacted at <https://ico.org.uk/concerns/> or telephone: 0303 123 1113.

## **Changes to this Policy**

This Policy was published on **2/01/2019** and last updated on **18/01/2019**

Any changes we may make to our Policy in the future will be posted on this page and where appropriate, notified to you by e-mail. Please check back frequently to see any updates or changes to our Policy.

## **How to contact us**

Please contact our Data Protection Officer, Samantha Austin, if you have any questions about this privacy notice or the information we hold about you.

If you wish to contact our Data Protection Officer, please send an email to [sales@austinandroe.co.uk](mailto:sales@austinandroe.co.uk), write to Granville Square, 75a High Street, Stone, Staffordshire, ST15 8AE or call 01785 338570.