

# Wheeldon & Deacon

## Privacy Policy

We take your privacy very seriously. Please read this privacy policy carefully as it contains important information on who we are and how and why we collect, store, use and share your personal data. It also explains your rights in relation to your personal data and how to contact us or supervisory authorities in the event you have a complaint.

When we use your personal data we are regulated under the General Data Protection Regulation (GDPR) which applies in the United Kingdom and we are responsible as 'controller' of that personal data for the purposes of the GDPR. Our use of your personal data is subject to your instructions, the GDPR, other relevant UK legislation and our professional duty of confidentiality.

### Key terms

It would be helpful to start by explaining some key terms used in this policy:

We, us, our	Admirals House, 18 Nelson Street, Southend on Sea, Essex SS1 1EF
Our data protection officer	<b>Mr Simon Deacon</b>  Admirals House, 18 Nelson Street, Southend on Sea, Essex SS1 1EF Email: <a href="mailto:simon@wdsurveyor.co.uk">simon@wdsurveyor.co.uk</a>  Tel: 01702 344621
Personal data	Any information relating to an identified or identifiable individual

Special category personal data	Personal data revealing racial or ethnic origin, political opinions, religious beliefs, philosophical beliefs or trade union membership  Genetic and biometric data  Data concerning health, sex life or sexual orientation
--------------------------------	---

## Personal data we collect about you

The table below sets out the personal data we will or may collect in the course of advising and/or acting for you.

Personal data we will collect	Personal data we may collect depending on why you have instructed us
Your name, address and telephone number  Information to enable us to check and verify your identity, eg your date of birth or passport details  Electronic contact details, eg your email address and mobile phone number  Information relating to the matter in which you are seeking our advice or representation	Your National Insurance and tax details  Your bank and/or building society details  Details of your professional online presence, eg LinkedIn profile  Details of your spouse/partner and dependants or other family members,  Your employment status and details including salary and benefits,  Your nationality and immigration status and information from related documents, such as your passport or other identification, and immigration information  Details of your pension arrangements,

<b>Personal data we will collect</b>	<b>Personal data we may collect depending on why you have instructed us</b>
<p>Information to enable us to undertake a credit or other financial checks on you</p> <p>Your financial details so far as</p>	<p>Your employment records eg where we may have to take up references from employers to show to landlords</p>

This personal data is required to enable us to provide our service to you. If you do not provide personal data we ask for, it may delay or prevent us from providing services to you.

## **How your personal data is collected**

We collect most of this information from you direct. However, we may also collect information:

- from publicly accessible sources, eg Companies House or HM Land Registry;
- directly from a third party, eg:
  - credit reference agencies;
- from a third party with your consent, eg:
  - your bank or building society, another financial institution or advisor;
  - consultants and other professionals we may engage in relation to your matter;
  - your employer and/or trade union, professional body or pension administrators;
  - your doctors, medical and occupational health professionals;
- via our website—we use cookies on our website (for more information on cookies, please see our 'Cookies Policy' below)
- via our information technology (IT) systems, eg:
  - case and property management, document management and time recording systems;

- automated mailing lists
- details of properties that you may be interested in renting
- door entry systems and reception logs;
- automated monitoring of our websites and other technical systems, such as our computer networks and connections, CCTV and access control systems, communications systems, email and instant messaging systems;

## How and why we use your personal data

Under data protection law, we can only use your personal data if we have a proper reason for doing so, eg:

- to comply with our legal and regulatory obligations;
- for the performance of our contract with you or to take steps at your request before entering into a contract;
- for our legitimate interests or those of a third party; or
- where you have given consent.

A legitimate interest is when we have a business or commercial reason to use your information, so long as this is not overridden by your own rights and interests.

The table below explains what we use (process) your personal data for and our reasons for doing so:

What we use your personal data for	Our reasons
To provide Property Management services to Landlords & Tenants	For the performance of our contract with you
To provide Property Management services to Tenants	For the performance of our contract with the landlord (our client) acting as their agent, to hold tenants information in order to conduct your

What we use your personal data for	Our reasons
	contractual obligation to our clients
<p>Conducting checks to identify our clients and verify their identity</p> <p>Screening for financial and other sanctions or embargoes</p> <p>Other processing necessary to comply with professional, legal and regulatory obligations that apply to our business, eg under health and safety regulation or rules issued by our professional regulator and money laundering obligations.</p>	To comply with our legal and regulatory obligations
Gathering and providing information required by or relating to audits, enquiries or investigations by regulatory bodies	To comply with our legal and regulatory obligations
Ensuring business policies are adhered to, eg policies covering security and internet use	For our legitimate interests or those of a third party, ie to make sure we are following our own internal procedures so we can deliver the best service to you
Operational reasons, such as improving efficiency, training and quality control	For our legitimate interests or those of a third party, ie to be as efficient as we can so we can deliver the best service for you at the best price

What we use your personal data for	Our reasons
Ensuring the confidentiality of commercially sensitive information	<p>For our legitimate interests or those of a third party, ie to protect our intellectual property and other commercially valuable information</p> <p>To comply with our legal and regulatory obligations</p>
Statistical analysis to help us manage our practice, eg in relation to our financial performance, client base, work type or other efficiency measures	<p>For our legitimate interests or those of a third party, ie to be as efficient as we can so we can deliver the best service for you at the best price</p>
Preventing unauthorised access and modifications to systems	<p>For our legitimate interests or those of a third party, ie to prevent and detect criminal activity that could be damaging for us and for you</p> <p>To comply with our legal and regulatory obligations</p>
Updating and enhancing client records	<p>For the performance of our contract with you or to take steps at your request before entering into a contract</p> <p>To comply with our legal and regulatory obligations</p> <p>For our legitimate interests or those of a third party, eg making sure that we can keep</p>

What we use your personal data for	Our reasons
	in touch with our clients about existing and new services
Statutory returns	To comply with our legal and regulatory obligations
Ensuring safe working practices, staff administration and assessments	<p>To comply with our legal and regulatory obligations</p> <p>For our legitimate interests or those of a third party, eg to make sure we are following our own internal procedures and working efficiently so we can deliver the best service to you</p>
<p>Marketing our services and those of selected third parties to:</p> <ul style="list-style-type: none"> <li>• existing and former clients;</li> <li>• third parties who have previously expressed an interest in our services;</li> <li>• third parties with whom we have had no previous dealings.</li> </ul>	For our legitimate interests or those of a third party, ie to promote our business to existing and former clients
Credit reference checks via external credit reference agencies	For our legitimate interests or a those of a third party, ie for credit control and to ensure our clients are likely to be able to pay for our services
External audits and quality checks, eg for RICS, Property Ombudsman or other complaints handling procedure	For our legitimate interests or a those of a third party, ie to maintain our accreditations so

What we use your personal data for	Our reasons
purposes and organisations and the audit of our accounts	<p>we can demonstrate we operate at the highest standards</p> <p>To comply with our legal and regulatory obligations</p>

The above table does not apply to special category personal data, which we will only process with your explicit consent.

## Promotional communications

We may use your personal data to send you updates (by email, text message, telephone or post) about property or services that we can offer that might be of interest to you and/or information about our services, including exclusive offers, promotions or new services or products.

We have a legitimate interest in processing your personal data for promotional purposes (see above '**How and why we use your personal data**'). This means we do not usually need your consent to send you promotional communications. However, where consent is needed, we will ask for this consent separately and clearly.

We will always treat your personal data with the utmost respect and never sell OR share it with other organisations outside Wheeldon & Deacon for marketing purposes.

You have the right to opt out of receiving promotional communications at any time by:

- contacting us by email, telephone or post

We may ask you to confirm or update your marketing preferences if you instruct us to provide further services in the future, or if there are changes in the law, regulation, or the structure of our business.



# Cookie Policy

As mentioned above, we use cookies on [www.wdsurveyor.co.uk](http://www.wdsurveyor.co.uk) primarily as a way to offer our customers a better user experience. By using our website, with your browser set to enable cookies, you agree and consent to our use of cookies as set out in this policy.

Types of cookies we use:

Type of Cookie	Functionality
Strictly necessary cookies	<p>These are essential in order to enable you to move around the website and use its features.</p> <p>Because these cookies are strictly necessary we do not need to ask for your consent to use them.</p>
Functionality cookies	<p>These allow the website to remember choices you make and provide a personalised experience.</p>
Performance cookies	<p>Performance cookies collect aggregated and anonymous information about traffic to our website and how visitors use our website. This may include the number of visitors to our website, the websites that referred them to our website, the pages that they visited, what time of day they visited, whether they have visited our website before, and other similar information. We use this information to help operate our services more efficiently, to gather broad demographic information and to monitor the level of activity on our website. These cookies include:</p> <p>Google Analytics uses its own cookies, to collect statistical data regarding user demographics, counting visits and traffic sources so we can measure and improve the performance of our website.</p>

If you wish to remove these cookies from your computer, or to disable the use of cookies completely you can do this at any time via the settings in your browser. Please remember that this may adversely affect other functionality on the website.

For more information on advertising cookies, please visit the [AdChoices](#) website.

## Who we share your personal data with

We routinely share personal data with:

- professional advisers who we instruct on your behalf or refer you to, eg legal professionals, solicitors, accountants, surveyors, tax advisors or other experts;
- other third parties where necessary to carry out your instructions,
- credit reference agencies;
- our insurers and brokers;
- external auditors, such as RICS
- our banks;
- external service suppliers, representatives and agents that we use to make our business more efficient, eg typing services, marketing agencies, document collation or analysis suppliers;

The following third parties will receive your personal data for the following purposes as a part of processing activities:

- Messages you send us via our online contact form and emails will be stored in with Microsoft Office 365 in the European Union their privacy policy here: **<https://privacy.microsoft.com/en-gb/privacystatement>**.
- We use a third party server to host our website through our hosting company, 123 Reg, the privacy policy of which is available here: **<https://www.123-reg.co.uk/terms/privacy/>**. Our website server automatically logs the IP address you use to access our website as well as other information about your visit such as the pages accessed, information requested, the date and time of the request,

the source of your access to our website, and your browser version and operating system. Our server is located in the United Kingdom.

- We use Live Drive based in the United Kingdom to store back up data, their privacy policy can be found at

**<https://www2.livedrive.com/privacy-policy>**

We only allow our service providers to handle your personal data if we are satisfied they take appropriate measures to protect your personal data. We also impose contractual obligations on service providers relating to ensure they can only use your personal data to provide services to us and to you.

We may disclose and exchange information with law enforcement agencies and regulatory bodies to comply with our legal and regulatory obligations.

We may also need to share some personal data with other parties, such as potential buyers of some or all of our business or during a re-structuring. The recipient of the information will be bound by confidentiality obligations.

## **Where your personal data is held**

Information may be held at our offices, third party agencies, service providers, representatives and agents as described above (see '**Who we share your personal data with**').

Some of these third parties may be based outside the European Economic Area. For more information, including on how we safeguard your personal data when this occurs, see below: '**Transferring your personal data out of the EEA**'.

## **How long your personal data will be kept**

We will keep your personal data after we have finished advising or acting for you. We will do so for one of these reasons:

- to respond to any questions, complaints or claims made by you or on your behalf;
- to show that we treated you fairly;

- to keep records required by law and the professional bodies that we belong to.

We will not retain your data for longer than necessary for the purposes set out in this policy. Different retention periods apply for different types of data.

When it is no longer necessary to retain your personal data, we will delete or anonymise it.

## **Transferring your personal data out of the EEA**

To deliver services to you, it is sometimes necessary for us to share your personal data outside the European Economic Area (EEA), eg:

- with your and our service providers located outside the EEA;
- if you are based outside the EEA;
- where there is an international dimension to the matter in which we are advising you.

These transfers are subject to special rules under UK data protection law.

If you would like further information please contact our Data Protection Officer (see 'How to contact us' below).

## **Your rights**

You have the following rights, which you can exercise free of charge:

Access	The right to be provided with a copy of your personal data
Rectification	The right to require us to correct any mistakes in your personal data
To be forgotten	The right to require us to delete your personal data—in certain situations

Restriction of processing	The right to require us to restrict processing of your personal data—in certain circumstances, eg if you contest the accuracy of the data
Data portability	The right to receive the personal data you provided to us, in a structured, commonly used and machine-readable format and/or transmit that data to a third party—in certain situations
To object	<p>The right to object:</p> <ul style="list-style-type: none"> <li>• at any time to your personal data being processed for direct marketing (including profiling);</li> <li>• in certain other situations to our continued processing of your personal data, eg processing carried out for the purpose of our legitimate interests.</li> </ul>
Not to be subject to automated individual decision-making	The right not to be subject to a decision based solely on automated processing (including profiling) that produces legal effects concerning you or similarly significantly affects you

For further information on each of those rights, including the circumstances in which they apply, please contact us or 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 Officer—see above
- let us have enough information to identify you (eg your full name, address and client or matter reference number);
- 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 what right you want to exercise and the information to which your request relates.

## **Keeping your personal data secure**

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

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.

## **How to complain**

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

The [General Data Protection Regulation](#) also gives you right to lodge a complaint with a supervisory authority, 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 privacy policy**

This privacy policy was updated and re- published on 4<sup>th</sup> April 2022 .

We may change this privacy policy from time to time; when we do we will inform you by email or post.

## **How to contact us**

Please contact us and/or our Data Protection Officer by post, email or telephone if you have any questions about this privacy policy or the information we hold about you.

Our contact details are shown below:

Our contact details	Our Data Protection Officer's contact details
Admirals House,  18 Nelson Street,  Southend-on-Sea,  Essex,  SS1 1EF	Simon Deacon  Admirals House, 18 Nelson Street, Southend-on-Sea, Essex, SS1 1EF  <b>Email <a href="mailto:simon@wdsurveyor.co.uk">simon@wdsurveyor.co.uk</a></b>