

## Andrew Ward Estate Agents Privacy Policy

We are committed to ensuring that your privacy is protected and use of your personal information is governed by this privacy notice. Any reference to “you” or “your” refers to anyone whose personal information we process.

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

**Personal information** is any information that tells us something about you. This could include information such as name, contact details, date of birth, bank account details or any information about your needs or circumstances which allow us to identify you and provide a service to you.

In our role as residential estate agents we are unlikely to collect or need to use “special data”. Under data protection legislation “special data” is more sensitive information relating to health, racial or ethnic origin, religious beliefs or political opinions etc., and we would need to have further justifications for collecting, storing and using this type of personal information. There are also additional restrictions on the circumstances in which we would be permitted to collect such data.

Any references to personal information in this privacy notice will include personal data, and where relevant, special categories of personal data.

**We** will treat your personal information as confidential and in accordance with applicable data protection legislation your personal information will only be shared with others in accordance with this Privacy Notice.

**Collecting personal information:** We will collect from you your full name and contact details, (such as phone number, email address and postal address) dependent on how you engage with us.

In addition, if we are providing a service to you, or on your behalf, and 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 passport, a driving license or an identification card) and one form of documentation with proof of your place of residence (such as a recent utility bill).

We will also check whether you have any relatives or close connections working at Andrew Ward to ensure no conflict of interests and in accordance with our statutory and regulatory obligations.

Depending on the service provided to you (or on your behalf) whether buying/selling or renting we may also collect additional personal information as detailed below;

### **Selling or letting a property through us:**

- We will collect contact details such email and phone numbers in order to organize viewings, put forward offers or deal with rental applications on your property.
- Where you are not the legal owner of the property, we will request details from you as to your ability to sell or let the property such as a Power of Attorney, Guardianship Order or Grant of Probate.
- To be active on our mailing list you will have already provided basic contact information either directly to our staff, via our website or via a third party such as Rightmove or another property portal.
- We will collect your bank account details to arrange onward payment of rent etc.

- For property management we will ask for additional contact information in the event of an emergency.

**Renting a property through us:**

- We will collect specific information about your status in order for us to arrange credit references currently carried out via FCC Paragon Services. Such as a passport, Driving license or utility bill.
- We may require your bank / building / similar account details to allow us to manage an approved tenancy deposit account for you and to set up your rental payments.
- If you are a tenant renting under the 'Right to Rent' scheme we will collect details of your residence card, your immigration status document and/or your birth certificate to out our required checks under this scheme or to pass onto a credit referencing agency.

**Use of your personal information:** Under data protection legislation we rely on the following legal bases to use your information:

- For employment-related purposes
- Where we need information to perform the contract we have entered into with you
- Where we need to comply with a legal obligation
- Where the processing is necessary for us to carry out activities for which it is in Andrew Ward's legitimate interests (or those of a third party) to do so and provided that your interests and fundamental rights do not override those interests, including:
  - (a) Processing that is necessary for us to promote our business, to include sending you marketing information from time to time after you have engaged us to provide services or where you have expressly indicated that you would like to receive such information. You have the right to opt out of receiving this information at any time.
  - (b) Processing necessary for us to operate the administrative and technical aspects of our business efficiently and effectively – this may include: verifying the accuracy of information that we hold about you, processing for administrative efficiency purposes such as where we outsource certain administrative functions to third parties who specialize in such services; processing for network and information security purposes i.e. in order for us to take steps to protect your information against loss, damage, theft or unauthorized access or to comply with a request from you in connection with the exercise of any of your rights outlined below.

In more limited circumstances we may also rely on the following legal bases:

- *Where we need to protect your interests (or someone else's interests); and/or*
- *Where it is needed in the public interest or for official purposes*

We may process special categories of personal information and criminal conviction information in the following limited circumstances:

- *With your explicit consent, in which case we will explain the purpose for which the information will be used at the point where we ask for your consent.*

**Whether buying/selling/letting or renting we may use your personal information as follows:**

- For the purposes of fulfilling our obligations to you to sell or let your property.
- When selling or purchasing a property through us we will share your relevant personal information with solicitors acting for either party to facilitate the sale or purchase.
- When purchasing through us we will ask you to provide simple financial information to clarify your buying position such as; whether your purchase is dependent upon raising finance/mortgage, unencumbered or whether you are involved in a chain of sales etc.
- Chain checking with other estate agents or liaising with financial brokers pertinent to the transaction and general sales progression.

- When renting a property through us we will share your personal data with a third party referencing agency to check your suitability to rent. (Prevention and detection of crime, fraud and/or money laundering).
- When managing a property on your behalf we may pass your contact/personal details to third party contractors to carry out maintenance on your property.

#### **Other uses of your personal information**

- We will share personal information with our regulators, governmental or quasi-governmental organisations, law enforcement authorities and with courts, tribunals and arbitrators as may be required from time to time in order to comply with our regulatory and legal obligations;
- Where we use third party services providers who process personal information on our behalf in order to provide services to us. This includes IT systems providers and IT contractors as well as third party referencing or screening agencies for the purposes of the prevention and detection of crime.
- We may share your personal information with any person working within Andrew Ward on a need to know basis to ensure we are able to perform our obligations to you.
- We will not share your personal data with third parties for marketing purposes unless we obtain your permission to do so. We may use your personal data for our own internal marketing purposes and to contact you in accordance with the terms of this Privacy & Cookies Policy

#### **We need some of your personal information to perform the services you have requested from us.**

- Where we are selling a property on your behalf we need to know your contact information so that we can update you with information on viewings, offers and the progress of the sale;
- Where you have asked us to find you a property which meets certain access requirements, we may need to know some further details about your particular circumstances so that we can find you a suitable property.
- We may also need some information so that we can comply with our legal obligations. For example, we may need identity documents from you to meet our obligations to prevent fraud and money laundering.

**Keeping information secure:** Every effort will be made to keep the information we hold safe and secure. We have strict access requirements in place on our operating systems and we ensure that personal data is restricted to Andrew Ward employees.

**How long do we keep your personal information:** This is dependent upon the type of service provided and the retention period may be longer than the period in which we provided that service. We will store your data where we have a statutory or regulatory obligation to retain personal information (nominally five years) or where we may need to retain the information in case of a legal claim.

**Your rights in relation to your personal information** - You have the right to:

- Be informed about how we use your personal information
- Obtain access to your personal information that we hold
- Request that your personal information is corrected if you believe it is incorrect, incomplete or inaccurate
- Request that we erase your personal information in the following circumstances:
  - If we are continuing to process personal information beyond the period when it is necessary to do so for the purpose for which it was originally collected
  - If we are relying on consent as the legal basis for processing and you withdraw consent

- If we are relying on legitimate interests as the legal basis for processing and you object to this processing and there is no overriding compelling ground which enables us continue with the processing
- If the personal information has been processed unlawfully (i.e. in breach of the requirements of the data protection legislation)
- If it is necessary to delete the personal information to comply with a legal obligation
- Ask us to restrict our data processing activities where you consider that:
  - personal information is inaccurate
  - our processing of your personal information is unlawful
  - where we no longer need the personal information but you require us to keep it to enable you to establish, exercise or defend a legal claim
  - where you have raised an objection to our use of your personal information
- Request a copy of certain personal information that you have provided to us in a commonly used electronic format. This right relates to personal information that you have provided to us that we need in order to perform our agreement with you and personal information where we are relying on consent to process your personal information
- Object to our processing of your personal information where we are relying on legitimate interests or exercise of a public interest task to make the processing lawful. If you raise an objection we will carry out an assessment to determine whether we have an overriding legitimate ground which entitles us to continue to process your personal information; and
- Not be subject to wholly automated decisions which produce legal effects or which could have a similarly significant effect on you.

If you would like to exercise any of your rights please contact [info@andrewward.co.uk](mailto:info@andrewward.co.uk)

### Complaints and Contact Details

**Complaints:** If you have any complaints about the way we use your personal information or require more information please contact Andrew Ward at the above email address or at the Brookmans Park office 35 Bradmore Green AL9 7QR. You also have the right to complain to the data protection authority.

**The use of cookies:** A cookie is a small text file that is downloaded onto your computer when you visit certain websites and allows a website to recognize a user's computer. Cookies are used to help users navigate websites more efficiently and to perform certain functions, as well as to provide information to the owners of the website. By continuing to browse our website, you are agreeing to our use of cookies. You may delete and block all cookies from this website, but please be aware that restricting or deleting cookies may impact on the functionality of the website

#### BARNET

The Studio, Highstone House  
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#### BROOKMANS PARK

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#### POTTERS BAR

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