

SMITH WATERS

CHARTERED SURVEYORS • ESTATE MANAGERS

PRIVACY NOTICE

provided by

SMITH WATERS LLP

Dated 27th April 2018

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CHARTERED SURVEYORS • ESTATE MANAGERS

This privacy notice explains what personal data (information) we hold about you, how we collect it, and how we use and may share information about you during our management of the property and after it ends. We are required to notify you of this information under the General Data Protection Regulation.

Please ensure you read this notice (sometimes referred to as a “privacy notice” and any other similar notice we may provide to you from time to time when we collect or process personal information about you. This privacy notice 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.

1. WHO WE ARE

SMITH WATERS LLP collects uses and is responsible for certain personal information about you. 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.

In this privacy notice, references to “we” or “us” mean SMITH WATERS LLP.

2. DATA PROTECTION PRINCIPLES

We will comply with the data protection principles when gathering and using personal information, as set out in our GDPR data protection policy.

3. THE PERSONAL INFORMATION WE COLLECT AND USE: INFORMATION COLLECTED BY US

In the course of day to day management we collect the following personal information when you provide it to us:

- ADDRESS
- PROPERTY ADDRESS
- HOME AND MOBILE TELEPHONE NUMBERS
- E-MAIL ADDRESS
- MORTGAGE DETAILS

The provision is required from you to enable us to perform our contract as managing agent appointed for and on behalf of the client

We will inform you at the point of collecting information from you, whether you are required to provide the information to us.

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4. THE PERSONAL INFORMATION WE COLLECT AND USE: INFORMATION COLLECTED FROM OTHER SOURCES

We also obtain personal information from other sources as follows:

- MORTGAGE APPLICATION
- LAND REGISTRY
- LEASEHOLDER
- CLIENT
- PORTERS
- TENANTS

5. HOW WE USE YOUR PERSONAL INFORMATION

We will typically collect and use this information for the following purposes:

- For the performance of a contract you have with our client and pursuant to which we are appointed as their agent.
- For the purposes of our legitimate interests or those of a third party, but only if these are not overridden by your interests, rights or freedoms.

We seek to ensure that our information collection and processing is always proportionate. We will notify you of any material changes to information we collect or to the purposes for which we collect and process it.

6. WHO WE SHARE YOUR PERSONAL INFORMATION WITH

We routinely share the following categories of personal data:

- NAME
- ADDRESS
- MOBILE TELEPHONE NUMBER
- LANDLINE TELEPHONE NUMBER

This personal information may be shared with the following categories of recipients:

- SUB-CONTRACTORS
- ON SITE PORTERS
- THIRD PARTY SOLICITORS

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- INSURANCE
- PROPERTY CHAMBERS
- CLIENTS
- OUT OF HOURS CONTRACTORS

This data sharing enables us to perform our contract as managing agent.

We will share personal information with law enforcement or other authorities if required by applicable law.

We will not share your personal information with any other third party.

7. WHERE YOUR PERSONAL INFORMATION MAY BE HELD

Information may be held at our offices and those of our group companies, and third party agencies, service providers, representatives and agents as described above.

We have security measures in place to seek to ensure that there is appropriate security for information we hold including those measures detailed in our GDPR data protection policy.

Or, for example, a set number of years after a data subject ceases to be a lessee in that development.

8. HOW LONG YOUR PERSONAL INFORMATION WILL BE KEPT

- We will hold:
- ADDRESS
- PROPERTY ADDRESS
- HOME AND MOBILE TELEPHONE NUMBERS
- E-MAIL ADDRESS
- MORTGAGE DETAILS

THE PERIOD WE ARE REQUIRED TO RETAIN THIS INFORMATION BY APPLICABLE UK TAX LAW IS CURRENTLY 6 YEARS

9. REASONS WE CAN COLLECT AND USE YOUR PERSONAL INFORMATION

We rely on the contract between Smith Waters LLP and the client as the lawful basis on which we collect and use your personal data.

Personal Data is collected on behalf of the client so that Smith Waters LLP able to offer a smooth and transparent management regime.

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10. 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 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 – cal@smithwaters.com
- Call - 020 7839 3950

- Write to us:

4 Panton Street

Haymarket

London SW1Y 4SW

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- Let us have enough information to identify you via your full name, your address and relevant property address.
- 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

11. 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.

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.

12. HOW TO COMPLAIN

We hope that we 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/>.

13. CHANGES TO THIS PRIVACY NOTICE

This privacy notice was published on 27th April 2018 and last updated on 27th April 2018.

We may change this privacy notice from time to time, and when we do we will inform you.