



Cole's Estate Agents Privacy Notice

This privacy notice sets out the basis on which Cole's estate Agents will process personal information provided to us, this information is also referred to as 'personal data'.

We take our obligations in respect of the privacy of personal data very seriously and we will only process personal information as detailed in this notice, unless we inform you otherwise.

In order to ensure that the personal data we hold is accurate and up to date, we request that you inform us of any relevant changes to the personal information we hold about you.

Our core business activity is Estate Agency, we help individuals to sell, rent, buy and rent property.

Our Data Protection Officer is **Matthew Cole** and can be contacted at:

Cole's Estate Agents
41 High Street
East Grinstead
West Sussex
RH19 3AW

If you do not wish us to process personal data in accordance with this policy, then please do not provide it to us. Please refer to Section 3 'Your rights', in respect of data that we already hold, or which we receive from third parties.

SECTION 1

Information Held

Information will generally be collected directly via the use of any of our forms on our website, via email, via social media, in person at our office or through telephone conversations.

We will also collect personal information through third parties such as Rightmove, Zoopla, Primelocation and On The Market.

Cole's Estate Agents will typically collect:

When Registering for Property Search or Booking a Valuation (Sales & Lettings):

1. Title
2. First Name
3. Surname
4. Contact Telephone Numbers
5. Email Address

6. Postal Address
7. Residential Status
8. How many Dependants (Lettings only)
9. Job Title (Lettings only)
10. Salary (Lettings only)
11. Estate Agent Details

In addition, further information will be requested at the following times:

When Instructing Cole's to Sell or Let your Property:

1. Full Name
2. Copy of Passport or Driving License (Money Laundering Act)
3. Copy of Utility Bill (within 3 months) (Money Laundering Act)
4. Bank Details (Lettings only)
5. HMRC Approval Number (Overseas Landlords only)
6. Solicitor Details (Sales only)

When Renting a Property through Cole's Estate Agents:

1. Full Name
2. Copy of Passport or Driving License (Money Laundering Act)
3. Copy of Utility Bill (within 3 months) (Money Laundering Act)
4. Current Landlord Details
5. Nationality
6. Dependants Names (over 18 only)
7. Employers Name
8. Employers Telephone Number

When Buying a Property through Cole's Estate Agents:

1. Full Name
2. Copy of Passport or Driving License (Money Laundering Act)
3. Copy of Utility Bill (within 3 months) (Money Laundering Act)
4. Proof of Funds/Bank Statement
5. Mortgage Agreements
6. Solicitor Details
7. Proof of Deposit

How we will use your personal data

The processing of your personal information may include:

- Collecting and storing your personal data, whether in manual or electronic files
- Contacting you to see if you are still searching for a property
- Contacting you to see if you are still thinking of letting/selling your property
- Notifying you of any potential properties that suit your requirements
- Contacting you to arrange viewings
- Contacting you for feedback following any viewings
- Informing you of feedback following viewings on your property
- Contacting you with market updates
- Sending information to third parties with whom we have entered into arrangements which are related to our Tenant Referencing or Mortgage Services
- Retaining a record of our emails and conversations throughout our dealings

Why we process your personal data:

1. Entering into and performing a contract with you:

In order to provide our Estate Agency Services we may enter into a contract with you. A contract will also contain obligations on both your part and our part and we shall process your data as is necessary for the purpose of those obligations. For example, in order to process rental payments, bank details will be required.

2. We have to comply with certain regulations for example the "Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 (referred to as "the Regulations)." Cole's Estate Agents are required to obtain certain information from you to comply with regulations. The information provided will only be used by Cole's Estate Agents in relation to complying with the Regulations and will not be shared with any other party unless we are required to do so under law.

If you decide to enter in to a business relationship with Cole's Estate Agents we will require two separate Identification documents one primary and one secondary document even if it appears on both lists. The information may be required at various stages of the process depending whether you are purchasing or selling.

3. Our legitimate interests (carrying on the commercial activity of Estate Agency):

In providing our Estate Agency Services, we will carry out some processing of personal data which is necessary for the purpose of our legitimate interests, which include:
Retaining records of our dealings and transactions.

Using your personal data to:

Assess suitability and contact you regarding potential opportunities and/or our services
collate market information or trends including providing analysis to potential or actual Clients.

Source potential opportunities or properties as part of our Estate Agency Services.

Personalise your experience and our offering, whether via our website or in person.

This means that for our commercial viability and to pursue these legitimate interests, we may continue to process your personal data for as long as we consider necessary for these purposes.

4. Consent to our processing of your data:

We may process your personal data on the basis that you have consented to us doing so for a specific purpose. For example, if you enquire after a specific property, you have consented to our processing of the data that has been provided for the purpose of providing more information about that property, arranging potential viewings of the property and informing you of similar, suitable properties that meet your requirements. In other cases you may have provided your written or verbal consent to the use of your data for a specific reason.

You may withdraw your consent to our processing of your personal information for a particular purpose at any stage. However, please note that we may continue to retain, or otherwise use your personal information thereafter where we have a legitimate interest or a legal or contractual obligation to do so. Our processing in that respect will be limited to what is necessary in furtherance of those interests or obligations. Withdrawal of consent will not have any effect on the lawfulness of any processing based on consent before its withdrawal.

What if we obtain your personal data from a third party?

Part of our business activity involves receiving information relating to individuals for the purposes of searching for property or requesting a valuation of property. This may include

websites such as Rightmove, Zoopla, Primelocation and On The Market. Our social media pages are available to the public so any comments made or posts to our page will be visible to the public. Where information from third party sources is of no use to us, or where you have notified us that you do not want us to provide you with services, we shall discard it, however we may maintain a limited record in order to avoid the duplication of process. Where we consider that information may be of use to us in pursuance of the provision of our Estate Agency Services, any processing will be in accordance with this Privacy Notice. You do have the right to object to processing, please see Section 3 'Your rights'.

Sensitive Personal Data (SPD)

Sensitive personal data is information which is intensely personal to you and is usually irrelevant to buying/selling/renting/letting a property. Examples of SPD include information which reveals your political, religious or philosophical beliefs, sexual orientation, race or ethnic origin, or information relating to your health.

Regardless of the basis for your dealings with us, we request that you do not provide us with any sensitive personal data unless absolutely necessary. However, to the extent that you do provide us with any sensitive personal data, such as data which you choose to share with us in conversation, we shall only use that data for the purposes of our relationship with you or for the provision of our Estate Agency Services.

Who we share personal data with:

We shall not share your personal information unless we are entitled to do so. The categories of persons with whom we may share your personal information include:

Referencing Agencies (Potential Tenants only)

Energy Performance Assessor (Landlords & Vendors only)

Solicitors (Vendors and Purchasers only)

Board Services (Vendors & Landlords only (address and name only))

Inventory Clerks (Landlords & Tenants only)

Approved Contractors (Tenants only with prior approval)

Any regulatory authority or statutory body pursuant to a request for information or any legal obligation which applies to us

Our Software Provider (for Cole's Estate Agents only record keeping) - Jupix (cloud based)

SECTION 2

This section applies to all personal data

Transfer of data to other jurisdictions

We do not currently transfer any data to other jurisdictions. Where information is to be so transferred, it may be to a country in respect of which there is an adequacy decision from the EU Commission. However, if this is not the case, it is our policy to take steps to identify risks and in so far as is reasonably practicable, ensure that appropriate safeguards are in place.

If you do not wish to provide us with necessary data

There may be circumstances where we require you to provide data which is necessary in order for us to meet statutory or contractual obligations, or perform our Estate Agency Services. If you do not wish to provide us with information we request then please notify us. However, please be aware that as a result we may be unable to provide you or the party who you represent with an Estate Agency Service, and in some cases may result in a breach of the contract we have with you or a third party you represent.

Company and transfer

In the event of a sale, merger, liquidation, receivership or the transfer of all or part of our assets to a third party, we may need to transfer your information to a third party. Any transfer will be subject to the agreement of the third party to this Privacy Notice and any processing being only in accordance with this Privacy Notice.

Data Security and Confidentiality

It is our policy to ensure, in so far as is reasonably practicable, that our systems and records are secure and not accessible to unauthorised third parties in line with contemporary practice.

Cookies

A cookie is a small file of letters and numbers that is downloaded on to your computer when you visit a website, which enables the website to tailor its offerings to your preferences when you visit it.

Retaining your data

In most circumstances your data will not be retained for more than 6 years from the last point at which we provided any services or otherwise engaged with you and it is our policy to only store your personal data for as long as is reasonably necessary for us to comply with our legal obligations and for our legitimate business interests. However, we may retain data for longer than a 6 year period where we have a legal or contractual obligation to do so, or we form the view that there is otherwise a continued basis to do so, for example when we are subject to a legal obligation which applies for a longer period.

If however, you believe that we should delete your personal data at an earlier date, please inform us in writing of your reasons. Please see Section 3 'Your Rights' below.

Changes to this Privacy Notice

We will update this statement from time to time so we suggest that you review this statement at regular intervals. Where we undergo substantial changes to our privacy statement we will endeavour to inform you directly about these changes.

SECTION 3

Your rights

We take the protection of your personal data very seriously and it is important that you know your rights within that context, which include rights to:

- Request a copy of the personal data that we hold
- Object to our processing of your data where that processing is based upon legitimate interest and there are no compelling grounds for the continued processing of that data
- Request that we restrict processing of your data in certain circumstances
- Request that data is erased where the continued use of that data cannot be justified
- Object to any decision, which significantly affects you, being taken solely by a computer or via another automated process

- Withdraw your consent to our processing of your personal data for a particular purpose at any stage. However, please note that we may continue to retain, or otherwise use your personal information thereafter where we have a legitimate interest or a legal or contractual obligation to do so. Our processing in that respect will be limited to what is necessary in furtherance of those interests or obligations
- Request that inaccurate or incomplete data is rectified
- Request that data provided directly by you and processed by automated means is transferred to you or another controller; this right only being applicable where our processing of your data is based either on your consent or in performance of a contract
- Make a complaint to the Information Commissioner's Office Request that direct marketing by us to you is stopped

Please note that should you exercise your right to request that we erase data or cease any processing activity, we may retain a record of this request and the action taken in order to both evidence our compliance, and to take steps to minimise the prospect of any data being processed in the future should it be received again from a third party source.

If you have any questions concerning your rights or should you wish to exercise any of these rights please contact Matthew Cole - matt@colesestateagents.com 01342 324616

Complaints

If you are dissatisfied about any aspect of the way in which your data is processed you may, in the first instance refer the matter to Matthew Cole - matt@colesestateagents.com 01342 324616. This does not affect your right to make a complaint to the Information Commissioner's Office.