

**DATED 25 May 2018**

**PRIVACY NOTICE provided by Bennett Clarke & James Limited**

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 your 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**

Bennett Clarke & James Limited, trading as Bennett Clarke & James and BCJ, 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" means Bennett Clarke & James Ltd.

**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 the performance of our contract as managing agent for the development where you are a leaseholder or resident, we collect the following personal information when you provide it to us:

- Name, contact details including address, property address, home and mobile telephone numbers, email address

The provision of the above information is required from you to enable us to perform our contract as managing agent. We will inform you at the point of collecting information from you, whether you are required to provide the information to us.

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

We also obtain personal information from other sources as follows:

- We may collect information such as name, address, contact details and other personal data from among others, previous managing agents, freeholders or Directors of Residents Management Companies

**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, contact address, property address, home and mobile telephone number. This personal information may be shared with the following categories of recipients:
- Individuals and companies which we instruct to attend and perform services at the property.

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.

**8. HOW LONG YOUR PERSONAL INFORMATION WILL BE KEPT**

- We will hold the personal data described in section 3 while we are contracted to manage the property.

- In the event that our contract to manage a property is terminated, we will continue to hold personal data in an electronic archive for a period of 6 years after the termination. After this period the data will be safely destroyed or deleted.

## **9. REASONS WE CAN COLLECT AND USE YOUR PERSONAL INFORMATION**

The legal basis on which we collect and use your personal data is to fulfil our contractual obligations to you as the managing agent for your property.

## **11. 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, call or write to us;
- let us have enough information to identify you eg full name, address and 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.

## **12. 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.

## **13. 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/> or telephone: 0303 123 1113.

## **14. CHANGES TO THIS PRIVACY NOTICE**

This privacy notice was published on 25 May 2018 and last updated on 25 May 2018. We may change this privacy notice from time to time, and when we do we will inform you.