



Alan Newell Estate Agents General Data Protection Regulations (GDPR) Data Policy

Privacy Policy

At Alan Newell Estate Agents, we're committed to protecting, ensuring and respecting your privacy.

This policy explains when, where and why we collect personal information from you either as a client, an enquirer, user of our website, or service supplier, how we use it, the reasons under which we may disclose it to others and how we keep it secure.

For the purpose of the Data Protection Act 1998 (Act)/EU General Data Protection Regulation 2016 (GDPR), the data controller is Alan Newell.

Any questions regarding this policy and our privacy practices should be sent by email to alan@alannewell.com or by telephone 02890 812422. Alternatively by writing to Alan Newell Estate Agents, FAO Data Protection, 14b Ballynahinch Road, Carryduff, Belfast BT8 8DN.

Who we are?

Alan Newell Estate Agents & Valuers provide property services, including sales, property management, and property valuations in respect of both residential and commercial properties.

How do we obtain information relating to you?

We obtain information about you, as a prospective client or property enquirer, whenever you contact us about our services or properties we have advertised. We also obtain information from you when you engage with our office instructing us to provide services and this is done, verbally, by written correspondence and through application form. Information can be collected via our website using contact forms, downloadable application forms, email and telephone, in person or other written communications. Website usage information may be collected using Cookies.

What type of information is collected from you?

In the course of providing our service to you we may collect the following personal data when you provide it to us:

Contact information, identity documents and information, financial information, employment status, data about criminal convictions or offences. It may also be appropriate to collect data from other sources such as landlord, character, bank and employment references, as well as identification and verification checking agencies, or credit checking agencies.

Your IP address, web browser type and information regarding what pages are accessed and when may be collected automatically.

We may also collect information from you in connection with a service or product provided to you by us, including personal information such as:

- your name, contact details such as postal address, phone number including mobile, and email address, and details of your requirements where you engage us to provide our services on your behalf through our office, at your property, by telephone or by email;
- financial information including your bank account details where we manage a financial transaction for you, set up a standing order, or take payment for the services which we provide to you;
- Details on Landlords Registration
- your date of birth, nationality and other details from identity documents which you provide to us where we are required by law to carry out anti-money laundering checks and right to rent checks and the results of those checks;
- details of your mortgagor when you register to sell or let for proof of ownership;
- evidence that you have sufficient funds to pay any deposit required when you wish to make an offer to buy a property;
- evidence of the source of funds you will be using to buy a property, including bank statement or an agreement in principle from your mortgage provider;
- evidence that you have the right to let a property where you are a landlord;
- details of any mortgage or insurance documentation and service contracts (where applicable) which you have in place in relation to a property you wish to let where you are a landlord and we are providing you with letting services;
- your marital status, employment details, national insurance number, nationality, residential status, bank details and credit history when carrying out referencing and credit checks and the results of those checks;
- details relating to your property including photographs, floor plans, energy performance certificates, property description and survey results when you engage us to market a property for you;
- photographs of your property when we market your property for sale or to let, prepare an inspection report on the condition of your property, or when we prepare an inventory to record the condition of your property at the start or end of a tenancy;
- your contact details, move in and move out date, electricity and gas meter serial number and meter readings where you are a landlord or tenant, prior to a tenant moving in to a property and when the tenant moves out;
- your move in and move out date and details of the deposit you have paid where you are a tenant when registering or releasing any deposit from a deposit protection scheme;
- references relating to you, or information required to prepare a reference for you where you are a tenant; and
- your title, names, contact details, sex, marital status, date of birth, nationality, occupation, employment and salary information and employment history, bank account details, tax information, loans and credit commitments, personal credit history, sources of income and expenditure, family circumstances and details of dependents, confirmation of whether or not you smoke.

How is your information used?

We may process personal information if you have previously consented or for certain legitimate business purposes, which include some or all of the following:-

For Estate Agency Services

- To provide you with the estate agency services which you have asked us to provide, including but not limited to:
 - Selling your property, or to find a property to purchase;
 - valuing your property; and
 - letting services;
- to protect a tenant's deposit by registering it with a deposit protection scheme;
- to take payment from you for the services which we provide or arrange on your behalf;
- to arrange and carry out viewings;
- to process the receipt and payment of rent for you if a property is being let;
- to arrange an energy performance certificate or home report inspection for you, where access arrangements are made by us;
- to arrange an inventory check or to prepare a report on the condition of a property if it is being let;
- to ensure that utilities are in place and that utility companies and local authorities are able to contact you for billing purposes when you move in to a property (although occupants are ultimately responsible for registering their details with utility companies when they first occupy the property);
- to carry out tenant referencing and credit checks to assess if you are creditworthy before you move in to a property. To carry out such checks, your personal information may be shared with credit referencing companies, please refer to the [Who has access to your information](#) section below for further details;
- to better understand your requirements and provide you with services specific to your needs;
- to improve the services we offer by analysing your personal information so we better understand how you use our services;
- to keep client records up to date;

Responding to enquiries

- to help answer any questions which you have asked one of our staff members;
- to provide you with a quotation and terms and conditions for our services

Legal and Regulatory Obligations:

- to comply with applicable laws where we are obliged to retain and/or disclose certain information;
- to investigate or address claims or complaints relating to your use of our services;
- for internal and external auditing purposes;
- to carry out anti-money laundering checks;
- to carry out right to rent checks;

Other uses:

- to transfer information to any entity which may acquire rights in us;
- to collect a debt which is owed to us;
- for referencing where you are a tenant.

The legal basis upon which we deal with your information

Wherever we collect or use your personal information, we will make sure we do this for a valid legal reason. This will be for at least one of the following purposes:

- Due to the necessity to fulfil the terms of our contract with you - if you have entered into a contract with us for example to sell a property;
- The necessity to support the legitimate interests of our business in operating our site and providing our services in relation to efficiently to meet your needs - in all such cases, we will look after your information at all times in a way that is proportionate and respects your privacy rights and you have a right to object to processing as explained in the section on **Your rights as a data subject** below;
- To meet responsibilities we have to our regulators, tax officials, law enforcement, or otherwise meet our legal responsibilities
- Where we have obtained a clear consent from you - we will always make it clear when we need your consent and how you can change your permissions at any time thereafter.

Retention and Deletion

The personal information that you provide will be retained by us in accordance with applicable laws and our internal Retention Policy. However, we will take reasonable steps to destroy or anonymise personal information we hold if it is no longer needed for the purposes set out above. We will only hold your personal information on our systems for as long as is necessary for the relevant purpose for which it was collected. A copy of our Retention Policy is available on request.

Who has access to your information?

Designated employees in our company will control and use your data. Information will be passed to third parties on a Lawful Basis

We will not sell or rent your information to third parties.

We will not share your information with third parties for marketing purposes.

Third Party Service Providers we work in association with:

We work closely with various third-party service providers who by association support the estate agency services we provide. When you enquire about our services, we will advise you of the third parties as necessary and ask you for permission to pass your details onto them. With your permission, the relevant third party provider will use your details to carry out their obligations arising from any contracts you have entered with them. In some cases, they will be acting as a data controller of your information and therefore we advise you to read their Privacy Policy. These third party product providers will share your information with us which we will use in accordance with this Privacy Policy.

We may transfer your personal information to a third party as part of a sale of some or all of our business and assets to any third party or as part of any business restructuring or reorganisation, or if we're under a duty to disclose or share your personal data in order to comply with any legal obligation or to enforce or apply our terms of use or to protect the rights, property or safety of our customers. However, we will take steps with the aim of ensuring that your privacy rights continue to be protected.

Links to other Websites:

Our website may from time to time provide links to other websites. Our privacy policy does not extend to your use of such websites as we have no control over such websites and are not responsible for their content. Therefore we advise that you refer to their privacy policy or statement prior to using them.

What are my choices?

You have a choice about whether or not you wish to receive information from us.

We will not contact you for marketing purposes by email, phone or text message unless you have given your prior consent. We will not contact you for marketing purposes by post if you have indicated that you do not wish to be contacted.

You can change your marketing preferences at any time as well as request to be forgotten by contacting us by email: alan@alannewell.com or write to us at: Alan Newell Estate Agents, FAO Data Protection, 14b Ballynahinch Road, Carryduff, Belfast BT8 8DN

How can I access and update my information?

If you change any of your personal information, or any of the information is inaccurate or out of date, please email us at alan@alannewell.com or write to us at: Alan Newell Estate Agents, FAO Data Protection, 14b Ballynahinch Road, Carryduff, Belfast BT8 8DN

You can find out if we hold any personal information about you by making a “data subject access request” under GDPR 2016. If we hold information about you we will:

- give you a description of it;
- tell you why we are holding it;
- tell you who it could be disclosed to; and
- let you have a copy

Any formal subject access request should be made in writing to the address, Alan Newell Estate Agents, FAO Data Protection, 14b Ballynahinch Road, Carryduff, Belfast BT8 8DN. This will be provided Free of Charge. However we may charge a reasonable fee for repetitive, unfounded or excessive requests or additional copies.

Your Rights as a Data Subject

Right to Rectification

The right to request the controller rectify inaccurate personal data.

Right to Object

The right to object to processing based on either public interests or legitimate interests. Processing must stop, unless the controller demonstrates compelling grounds for continuing the processing or that the processing is necessary in connection with the controller’s legal rights.

Rights to object

To Direct Marketing.

Right to be Forgotten

The right to have the controller erase personal data without undue delay. Contingent on the occurrence of one of the following:

- The data is no longer necessary;

- The data subject withdraws consent (and consent is the legal basis for processing);
- Controller has no overriding grounds for continuing processing beyond the objectification;
- Processing is unlawful
- Erasure is necessary with EU or national law

Right to Restrict Processing

The right to have the controller restrict processing if:

- The accuracy of the data is contested;
- Processing is unlawful;
- The controller no longer needs the data for its original purpose, but needs it for legal purposes;
- Erasure is pending.

Right of Data Portability

The right to receive a copy of your data in a commonly used machine-readable format for transfer to another controller.

Security Precautions

Data Security is of great importance to us and to protect your data we have put in place suitable procedures to ensure that it is treated securely.

We strive to protect your personal information but we cannot guarantee the security of any information you transmit to us over the internet, and you do so at your own risk. Where you have chosen a password which enables you to access certain parts of our websites, you are responsible for keeping this password confidential and we ask you not to share your password with anyone.

Profiling

We may analyse your personal information to create a profile of your interests and preferences so that we can contact you with information that is relevant to you.

Use of 'Cookies'

Like many other websites, our website may use cookies. 'Cookies' are small pieces of information sent by an organisation to your computer and stored on your hard drive to allow that website to recognise when you visit. They collect statistical data about your browsing actions and patterns and do not identify you as an individual i.e. we use cookies to store your country preference. 'Cookies' helps us to improve our website and deliver a better, more personalised service. It is possible to turn off Cookies by setting your browser preferences.

Review of this Policy

We keep this policy under regular review. This policy was last updated on 25 May 2018

By accessing, browsing or otherwise using Our Site you confirm that you have read and agree to this Privacy Notice. If you do not agree with any part of this Privacy Notice, you should not use Our Site or use our services.

We reserve the right to change the contents of Our Site, including this Privacy Notice at any time, by posting such changes on Our Site. It is your responsibility to familiarise yourself with the Privacy Notice regularly to ensure that you are aware of any changes. Your continued use of Our Site following the posting of any such changes will constitute your acceptance of the revised Privacy Notice.