

GDPR Transparency Notice for Smiddy & Co Limited

Smiddy & Co Limited, ("we", "us", "our") is registered in England and Wales under company number 04627514 and have our registered office at 3rd Floor Vyman House, 104 College Road, Harrow, Middlesex, HA1 1BQ.

1 What is the purpose of this document?

- 1.1 We are committed to protecting and respecting your privacy. This transparency notice sets out the basis on which any personal information we collect about you will be processed by us.
- 1.2 We are a **data controller**. This means that we are responsible for deciding how we collect and use personal information about you, and for explaining this clearly to you.
- 1.3 Please read this transparency notice carefully to understand what we do with your personal information and what rights you have in relation to our activities.
- 1.4 This transparency notice applies to our clients, potential clients and all users of our website www.smiddyproperty.co.uk.

2 What is personal data and what is our lawful basis for processing?

- 2.1 Personal data, or personal information, means any information relating to an individual from which that person can be identified.
- 2.2 We will only use your personal information when the law allows us to. Our principle lawful bases for processing are set out in the table below. However, some of our grounds for processing will overlap and there may be several grounds which justify our use of your personal information.
- 2.3 We may only rely on our legitimate interests (or those of a third party) to process your personal information if your interests and fundamental rights do not override those legitimate interests. Where we rely on legitimate interests for our processing, we have set out the relevant interest below.

3 Information we collect from you and about you and how our use complies with the law.

3.1	Information from you		
	Information	How we use your information	How our use complies with the law
	<i>First name, last name, organisation name, email address, address and telephone number.</i>	<i>To register your interest in our services To communicate with you about our services</i>	<i>It is necessary to perform the contract we have agreed with you to provide our services to you.</i>

<i>Cont.</i>	Information	How we use your information	How our use complies with the law
		<p><i>To deliver our services to you</i></p> <p><i>To provide you with information about our products and services which we think may be of interest to you</i></p>	<p><i>Such processing is necessary for the legitimate interest of effectively running and promoting our business. We are allowed to do this as long as our interests do not disproportionately intrude your privacy</i></p>
	<p><i>Information about your requirements: details of the services you require from us and details of the property, development or investment you want to instruct us on.</i></p>	<p><i>To register your interest in our services</i></p> <p><i>To deliver our services to you</i></p>	<p><i>It is necessary to perform the contract we have agreed with you to provide our services to you.</i></p> <p><i>Such processing is necessary for the legitimate interest of effectively running our business. We are allowed to do this as long as our interests do not disproportionately intrude your privacy</i></p>
	<p><i>Payment or invoice information.</i></p>	<p><i>To enable us to invoice you, or take payment due to us</i></p>	<p><i>It is necessary to perform the contract we have agreed with you to provide our services to you.</i></p>
	<p><i>Information required to carry out our due diligence checks, including anti-money laundering checks and credit checks on companies: photographic identification and proof of address and, for companies, details of your shareholders and their identity.</i></p>	<p><i>For the purposes of anti-money laundering, fraud protection and credit risk reduction and to maintain the reputation of our business</i></p>	<p><i>Such processing is necessary for the legitimate interest of protecting our business. We are allowed to do this as long as our interests do not disproportionately intrude your privacy</i></p> <p><i>Required by law</i></p>
	<p><i>Contents of any messages you send us.</i></p>	<p><i>To enable us to respond to your queries</i></p> <p><i>To deliver our services to you</i></p>	<p><i>Such processing is necessary for the legitimate interest of managing and improving our business. We are allowed to do this as long as our interests do not disproportionately intrude your privacy</i></p> <p><i>It is necessary to perform the contract we have agreed with you to provide our services to you.</i></p>

3.2	Information we collect about users of our website		
	<p><i>We collect information about you and your visit to our website via cookies on our website. Please refer to our cookies policy which is available at www.smiddyproperty.co.uk for more information on our use of cookies.</i></p>	<p><i>To improve the services we offer to you and others on our website</i></p> <p><i>To provide you with information about our products and services which we think may be of interest to you.</i></p> <p><i>For the purposes of fraud protection and credit risk reduction</i></p>	<p><i>It is necessary for our legitimate interests for creating a better user experience, ensuring the smooth running of our website and promoting our business. We are allowed to do this as long as our interests do not disproportionately intrude your privacy.</i></p> <p><i>You can disable cookies on your browser.</i></p>
3.3	Information we receive from third parties		
	<p><i>Results of credit checks</i></p>	<p><i>To allow us to provide our services to you.</i></p> <p><i>To reduce the credit risk to our business.</i></p>	<p><i>It is necessary to perform the contract we have agreed with you to provide our services to you.</i></p> <p><i>Such processing is necessary for the legitimate interest of protecting our business. We are allowed to do this as long as our interests do not disproportionately intrude your privacy.</i></p>
	<p><i>Results of anti-money laundering checks</i></p>	<p><i>To reduce the risk of money laundering</i></p> <p><i>To comply with the law</i></p>	<p><i>Required by law</i></p>
	<p><i>Information we receive from direct marketing organisations</i></p>	<p><i>To provide you with information about our products and services which we think may be of interest to you</i></p>	<p><i>Such processing is necessary for the legitimate interest of marketing our services. We are allowed to do this as long as our interests do not disproportionately intrude your privacy.</i></p>

4 Who are we going to share your personal information with and what will they do with it?

4.1 We share your personal information with third party contractors/sub-contractors and other service providers to the extent necessary to provide our services.

4.2 We share your information with other third parties as follows:

4.2.1 our regulators, professional advisors and auditors;

- 4.2.2 our clients and other third parties to facilitate the property transaction you are negotiating;
 - 4.2.3 HMRC or other government or law enforcement agencies;
 - 4.2.4 our insurance provider;
 - 4.2.5 if we sell part or all of our business or assets, in which case we may disclose your personal information to the prospective buyer of such business or assets;
 - 4.2.6 if we have a legal obligation to do so; and
 - 4.2.7 for the purposes of fraud protection and credit risk reduction.
- 4.3 We will also share your personal information with selected third parties providing property related services so they can provide you with information about their products and services which they think may be of interest to you. Those third parties are responsible for ensuring that their use of your personal information complies with data protection laws.
- 4.4 If you object to our sharing or continuing to use your personal information with any specific third party please contact us at info@smiddyproperty.co.uk.
- 4.5 We share your data with third-party service providers, such as providers of our website hosting services, IT support and maintenance service, cloud storage services and email exchange services and other businesses that provide certain services on our behalf. All of our third-party service providers are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes.

5 If you fail to provide personal information

- 5.1 In order for us to provide our service, we need you to provide the personal information set out in Part 1 of Section 3 of this transparency notice. If you choose not to provide certain information when requested, we may not be able to perform our services for you.

6 Informing us of changes

- 6.1 It is important that the personal information we hold about you is accurate and current. To allow us to do so, please keep us informed if any of your personal information changes during your relationship with us by email to info@smiddyproperty.co.uk.

7 Change of purpose

- 7.1 We only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another purpose that is compatible with the original one.
- 7.2 If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.
- 7.3 We may process your personal information without your knowledge or consent but only where this is required or permitted by law.

8 Automated decision-making

- 8.1 We do not envisage that any decisions will be taken about you using automated means, however we will notify you if this position changes.

9 Where will we store your personal information?

- 9.1 Any personal information that you submit to us will be held on secure servers, based within the European Economic Area (EEA).

10 Transferring information outside the EEA

- 10.1 We may transfer information about you outside the EEA. We will only do so where necessary for a specific transaction or opportunity and with your consent.

11 Data security

- 11.1 We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

12 How long will we keep your personal information for?

- 12.1 We will only keep your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting or reporting requirements.
- 12.2 If you contact us or engage us in respect of a one-off short-term enquiry or instruction, we will retain your personal information for the period of your enquiry or instruction plus a further 12 months.
- 12.3 If you contact us or engage us in respect of longer-term or more frequent enquiries or instructions, we will retain your personal information for the period of 2 years from the last time we had meaningful contact with you about one of your enquiries or instructions.
- 12.4 Emails are kept for up to 7 years on our back-up email exchange server.
- 12.5 Where a minimum retention period is required by law (such as retaining records for HMRC purposes) we comply with that minimum period.
- 12.6 We may keep your personal information for longer than stated above where it needs to be kept for legal reasons (for example, in the event of a legal dispute).
- 12.7 Once the retention period has expired, we will securely delete your data. It can take up to a further 12 months to securely anonymise and delete your personal information.

13 Your rights

- 13.1 You have the following rights:
- 13.1.1 to be told what we are doing with your personal information. We do this by providing you with this transparency notice;
 - 13.1.2 to request us to correct or update the personal information we hold about you;
 - 13.1.3 to object to the processing of your personal information;
 - 13.1.4 to request a copy of the personal information we hold about you;
 - 13.1.5 to ask us to delete the information that we hold about you where there is no good reason for us continuing to process it;

- 13.1.6 to ask us to stop processing your personal information where we are relying on a legitimate interest and there is something about your particular situation which makes you want to object to processing on this ground;
 - 13.1.7 to ask us to restrict how we use your personal information for a period of time if you claim that it is inaccurate and we want to verify the position or in some limited other circumstances;
 - 13.1.8 to ask us to send your personal information to another organisation in a computer-readable format;
 - 13.1.9 to complain to the Information Commissioner's office if you are unhappy with our use of your personal information: you can do this at <https://ico.org.uk/concerns/>. Please contact us straight away if you consider that we are not handling your personal information properly so we can try to sort the problem out.
- 13.2 If we delete your personal information or restrict our use of it, we will not be able to provide our services to you.
- 13.3 If you want to exercise any of your rights, please contact info@smiddyproperty.co.uk. We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights).

14 Cookie policy

- 14.1 Our website uses cookies to distinguish you from other users of our website. This helps us to provide you with a good experience when you browse our website and also allows us to improve our site. For more information about our use of cookies, please refer to our cookies policy which is available at www.smiddyproperty.co.uk .

15 Changes to this transparency notice

- 15.1 We reserve the right to update this transparency notice at any time, and we will provide you with a new transparency notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.
- 15.2 If you have any questions about this transparency notice, please contact: info@smiddyproperty.co.uk.

16 Contact us

- 16.1 If you have any questions about this transparency notice, please contact: info@smiddyproperty.co.uk.