

Staples & King – Privacy Policy

Staples & King Limited (registered office is 33 Elmshott lane, Cippenham, Slough, Berkshire SL1 5QS) is committed to protecting and respecting personal data and want to provide the best estate agent experience possible. This privacy statement aims to give a clear view of how we use personal information, our dedication to protecting it and individual's rights and options to control their personal information.

We have appointed a Compliance Officer who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your rights under the Data Protection Act please contact the DPO using the details set below.

Our Appointed Compliance Officer is David Staples and is based in our office.

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

CHANGES TO THE PRIVACY NOTICE AND YOUR DUTY TO INFORM US OF CHANGES

This privacy notice was last updated on the 9th May 2018.

The data protection law in the UK will change on the 25th May 2018. This privacy notice sets out your rights under the new laws, however is subject to change on or after the 25th May 2018.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

OVERVIEW

As an independent estate agent, Staples & King offer property market appraisals; marketing of residential properties; negotiating and managing the sale of residential properties, negotiating and managing of rental properties. Staples and King do not offer conveyancing, mortgages or insurance advice although we can make recommendations of local providers when we have the appropriate consent from applicants.

Personal Data is collected in the main areas of our business:

1. Direct Marketing and brand awareness of Staples and King to attract vendors, buyers, tenants and landlords.
2. The marketing of properties and then managing the sale and rental of properties as

contracted by vendors and landlords.

Where you have provided your personal information to us directly we will be the Data Controller, and where we have received your personal information via a third party we will perform the role of a data processor on behalf of the data controller.

Our Privacy Statement expands these areas and is in three sections:

1. General Description of Use, Storage and Security of Personal Data
2. Rights involving Personal Data and how we will use your Data
3. Use of Staples and King Website

SECTION 1 - USE, STORAGE AND SECURITY OF PERSONAL DATA

“Personal information” is any information that relates to and identifies a person, either alone or in combination with other information available to us. We use this personal information primarily for:

- Direct marketing and the marketing of properties. It is necessary for the purposes of our legitimate business interests to undertake these marketing activities to provide the best services possible.
- Improving our services: We will amend personal information for accuracy when sending relevant direct marketing material and property transactions. We process personal information in this way for the purposes of our legitimate interests in providing better services for our vendors, landlords and clients.
- Preventing fraud: we will also use the personal information of vendors, purchasers, landlords and tenants to assess their status for anti-money laundering purposes (AML). For this purpose, we may need to share personal information with our third-party providers that check for AML status. This is necessary for the purposes of our legitimate interests in ensuring that we nor vendors, purchaser, landlords or tenants are the victims of fraud and to protect our legal rights set out in our contract with vendors.

1.1 Direct Marketing

Our estate agency services are advertised by direct marketing to attract owners with a property to sell or rent (vendors or landlords) and applicants looking to buy or rent and parties looking for a survey. This is done via our website, email campaigns and literature (hard copy and electronic).

1.2 Use of Personal Data in Property Marketing and Sales Processes

Collection of Personal Data is through enquiries from prospective purchasers or tenants either by emailing, telephone, visiting the office or when visiting Property Portals, i.e. Rightmove, Zoopla and our own website. Other sources are from; Distributed leaflets, Referrals, For Sale Boards, Window Cards, Newspaper and Internet advertising.

Greater detail of personal data is gained and used when we are instructed to market a property because of an appraisal and during the phases of marketing; negotiating and

managing and progressing a sale or rental involving third parties; through to an exchange and completion of contracts or agreement of a tenancy.

HOW WE USE YOUR PERSONAL DATA

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract we are about to enter into or have entered into with you.
- Where data is held for our/your legitimate interests (or those of a third party), fundamental rights do not override those interests.
- Where we need to comply with a legal or regulatory obligation.
We only rely on consent as a legal basis for processing your personal data in relation to marketing communications to you via phone, email or text message. You have the right to withdraw consent to marketing at any time by contacting us.

PURPOSES FOR WHICH WE WILL USE YOUR PERSONAL DATA

We have set out below, some of the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
To register you as a new customer	(a) Identity (b) Contact	Performance of a contract with you
To provide Property Updates	(a) Identity (b) Contact	Legitimate interest of the applicant
To provide your personal information to a vendor, buyer, tenant or landlord as appropriate and solicitors in connection with the same	(a) Identity (b) Contact	Performance of a contract with you
Submit your personal information to our Financial Services	(a) Identity (b) Contact	(a) Necessary for our legitimate interest to conduct a financial

Provider.	(c) Product preferences	qualification check.
To provide your personal information to a third-party utility management company to arrange and conduct the utility changeover on your rental residence	(a) Identity (b) Contact	(a) Performance of a contract with you
To process your order including: Managing payment methods, and take deposits	(a) Identity (b) Contact (c) Financial (d) Transaction (e) Marketing & Communications	(a) Performance of a contract with you
To submit your personal information to our Referencing Provider	(a) Identity (b) Contact (c) Product preferences	Performance of a contract with you
To provide your contact details onto a third-party contractor to arrange and conduct maintenance works at your residence	(a) Identity (b) Contact	(a) Performance of a contract
Submit your personal information to our Conveyancing Provider	(a) Identity (b) Contact (c) Product preferences	(a) Necessary for our legitimate interest
Submit your personal information to a third-party Surveyor	(a) Identity (b) Contact (c) Product preferences	(a) Necessary for our legitimate interest
To manage our relationship with you which will include: (a) Notifying you about changes to our terms or privacy policy (b) Asking you to leave a review or take a survey	(a) Identity (b) Contact (c) Profile (d) Marketing & Communications	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to keep our records updated and to study how customers use our

		products/services)
To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(a) Identity (b) Contact (c) Technical	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise) (b) Necessary to comply with a legal obligation
To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing & Communications (f) Technical	Necessary for our legitimate interests (to study how customers use our products/services, to develop them, to grow our business and to inform our marketing strategy)
To use data analytics to improve our website, products/services, marketing, customer relationships and experiences	(a) Technical (b) Usage	Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)
To make suggestions and recommendations to you about goods or services that may be of interest to you	(a) Identity (b) Contact (c) Technical (d) Usage (e) Profile	Necessary for our legitimate interests (to develop our products/services

1.3 Categories of Data Processed.

- Name, telephone number, address, email address and approximate budget if relating to a purchaser or tenant. Also details from solicitors, estate agents, and surveyors' details if and as required.
- To check personal Identity of vendors, landlords, purchasers and tenants, we record that we have taken photocopies of passports or driving licence and a letterhead from an official organisation, Bank, Building Societies, Government bodies etc. Further, we record if we have visited them in their property. We also check for Politically Exposed People (PEP).
- Signed contracts enabling us to sell or rent a property.
- Signed brochure to indicate that vendors agree with the accuracy of our sales brochure for further advertising.

- Proof of funds including bank statements and building society statements and Mortgage agreement in principle. Personal financial data is processed by Financial Advisers, mortgage lenders etc who confirm to us if purchasers have sufficient funds for purchase.

1.4 Shared Personal Information

We treat your personal information with care and confidentiality. Staples and King is the sole owner of the information collected. We will not sell, or rent this information to others, neither do we share or collect personal information with or from Social Media programs. We only share personal information with other third parties to progress the sale and rental of properties for direct marketing and for legal obligations and also with contractors where we manage rental properties:

1.4.1 Third Party Service Providers

- By necessity, we are required to use third parties to progress a sale through to completion of contract, i.e. for legitimate business purposes. We do this with consent and use third parties such as: solicitors, surveyors, financial advisers.
- Trades-people will, by consent, contact vendors and purchasers about their products and services to progress a sale if building work/renovation is required.
- Trades-people will, by consent, contact tenants and landlords for maintenance work as and when required.
- Move with Us.
- Homelet who reference and credit check prospective tenants.
- Homelet for Rent and Legal Insurance for lettings.

1.4.2 With Legal Law Enforcement: Staples and King will disclose personal information where required by law or legal process, for the administration of justice, for investigations by law enforcement or regulatory bodies, e.g. the Ombudsman and or HM Government bodies, to protect and defend Staples and King property and legal rights, or to protect the rights, property, or safety of Staples and King staff, or clients.

1.4.3 Anti-Money Laundering Checks. Our letters and contracts inform and confirm that we are legally obliged to collect personal data for checking identities.

1.4.4 If Staples and King sells or buys any business or assets, in which case we may disclose your personal data to the prospective seller or buyer of such business or assets. If Staples and King is acquired by a third party, in which case personal data held by us would be transferred.

1.5 Retention, Protection of Personal Information

We are committed to protecting personal information and implement appropriate technical and organisational security measures to protect it against any unauthorised or unlawful processing and against any accidental loss, destruction, or damage. Staples and King stores personal data in two forms: electronic and hard copy

Electronic Form: Information is stored on secure servers of our third-party partners and all electronic transactions will be encrypted using SSL technology including password protection.

Our database is used for all our electronic transactions holding: personal data for applicants, vendors, landlords and tenants; property details and photographs; letters to and from applicants/vendors/landlords/tenants; invoices for completion of transaction.

Cloud/Server Security:

- Servers kept in EU
- Staples and King have onsite Servers
- Microsoft MyOffice (USA, complies with EU-US Privacy Shield Framework)
Unfortunately, the transmission of information via the Internet is not completely secure. Although we will do our best to protect personal data, we cannot guarantee the security of transmitted data. Any transmission is at user's risk. Once we have received information, we will use strict procedures and security features to try to prevent unauthorised access.

Hard Copy Form: Our business procedures require hard copy forms of personal data to be kept: record of telephone conversations taken live, diary appointments taken live, viewing appointments and feedback comments.

Office Security of Data:

- Important data such as key books are kept in a locked safe at each office and not recorded against a property.
- Locked offices with alarm and Insurance.
- Data is retained for the term of sales transaction contract and then for the statutory seven years.
- Rental and management property data is kept for as long as the property is let then for a further seven years.
- For all other, we keep personal data for as long as we have their consent to send either direct marketing material or information on properties that have been requested or meet their search criteria.

1.6 Disclosure of Data:

- Data is disclosed to solicitors, agents, and surveyor's details if applicable for the purposes of progressing a sale.
- If requested we disclose Name, telephone numbers and addresses to tradesmen for them to carry out repairs, refurbishment, maintenance and fitting etc
- See paragraph 1.4.2. If requested by, we are legally obliged to disclose personal data to the Ombudsman, Police and other legal or government bodies.

1.7 Data Transmission: By Internet to cloud systems' servers; telephone; email and posted letter.

1.8 Links to Other Websites: Our website (see Section 3) contains various link to third party websites including Mortgage Required. We do not accept any liability for this site or any third-party websites which may be linked or accessible through our own website and we do not endorse or approve the contents of any such sites.

1.9 Business Analysis: We do not use personal data for our market analysis; only market prices, % commission, location, postcode and time on the market. This is necessary for the purposes of our legitimate interests in understanding how our business is performing and considering how to improve our performance.

1.10 If you fail to provide personal data: Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with goods or services). In this case, we may have to cancel a product or service you have with us but we will notify you if this is the case at the time.

1.11 International Transfers: We do not transfer your personal data outside the European Economic Area (EEA).

SECTION 2 – YOUR RIGHTS IN RELATION TO YOUR PERSONAL INFORMATION

Clients may request at any time, amendments to certain personal information that is incorrect or irrelevant or to request that we block, erase or otherwise remove personal information by contacting our data controller David Staples on 01628 661464 They can exercise this right at any time or follow any "unsubscribe" instructions included in our marketing materials.

2.1 Right of Access: Clients have the right to access stored personal information on production of appropriate identification. Right of access can be exercised in accordance with GDPR, i.e.

- Free of charge
- Within one month of a request which can be extended by a further two months if requests are complex or we have too many to deal with. If we extend, we shall inform the client within one month with the reason for requesting an extension.
- In an electronic format if the request is made electronically
If the request is “manifestly unfounded or excessive”, for example because the request is repetitive, we can charge a reasonable fee, considering our administrative costs, or we can refuse to respond. If we refuse, we are obliged to explain and inform the client who can complain to the Information Commissioner’s Office (ICO).

2.2 Right to Rectification: The right to have information corrected if it's inaccurate, out of date or incomplete. On request we will:

- Inform the individual about third parties that have received their data.
- Inform those third parties that the data is being rectified, where possible.
- Comply with a request for rectification within one month. This can be extended by two months if a request is complex.

If we decide not to act following a request for rectification, we shall explain why and inform them of the complaint procedure to ICO or bring a complaint before a court.

2.3 Right to Erasure: The right to be forgotten, whereby a request to remove data when there's no reason to continue processing it can be exercised. We shall also inform third parties, which we have sent such data to, that we are erasing it, unless it's impossible or will involve a disproportionate effort. However, the right to be forgotten is only under specific circumstances. This includes:

- Where processing data is no longer necessary for the purpose it was first collected

- When an individual has objected to having their data processed or has withdrawn consent
- If the data was unlawfully processed, so is in breach of GDPR
It's important to know that in certain circumstances, we can refuse a request to erase such data. This includes if it's being processed to comply with a legal obligation for performing a task that's been carried out in the public's interest. Other examples include refusal for public health purposes, or the exercise of legal claims.

2.4 Right to Restrict Processing: Individuals have the right to block or suppress the processing of their data. We can restrict data processing for different reasons, including:

- When the accuracy of individual's data is contested. We shall restrict processing until accuracy is verified.
- When an individual has objected to the processing:
- If we no longer need the data, but the individual needs it to establish or defend a legal claim.

We should inform all third parties to whom the individual has disclosed the personal data, about restricting the processing. We should also inform the individual if we decide to lift a restriction on processing.

2.5 Lawful Basis:

Legitimate Interest means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

Performance of Contract means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

Comply with a legal or regulatory obligation means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.

SECTION 3 – website

This website takes every precaution to protect our users' information. When users submit personal data via our website, information is protected both online and off-line. We do not ask for sensitive information such as debit card numbers online. We do everything in our power to protect user-information off-line.

We have no control over how third-party websites and services process your personal information. We do not review third party websites and services, and we are not responsible for such third-party websites and services or their privacy practices. Please

read the privacy statements of any third-party websites or services that you access from our websites or services.

Website Terms of Use

Visitors to our website are required to accept the following terms and conditions in return for the information given to them on this website.

- We use our reasonable efforts to include accurate and up to date information on all pages of our website. Information is for guidance only and is not intended to form any part of a contract and can be subject to change without notice. We shall not be liable for any direct, indirect, incidental, consequential or cumulative losses or damages arising out of the use or inability to use these pages, any errors, misrepresentations or omissions on the material contained on them.
- The information on the pages of this website has been prepared with reasonable care and is believed by us to be legal, honest, decent and truthful as of the date of its preparation.
- You agree that the material downloaded or otherwise accessed using the web pages on our website is obtained entirely at your own risk and that you will be entirely responsible for any resulting damage to software or computer systems and/or any resulting loss of data even if we have been advised of the possibility of any such damage.
- Whilst currently, we have links from our website to third party websites including Mortgage Required website, this is for viewing purposes and not for transmission of data. We do not accept any liability regarding any third-party websites which may be linked or accessible through our own website and we do not endorse or approve the contents of any such site.
- In relation to a dispute arising out of this website, you the user and Staples and King agree to submit exclusively to the jurisdiction of the courts of England and Wales.
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- **Cookies:** Our website uses cookies. By using this website, you consent to the collection and use of your information as set out in this privacy and cookie policy. If we change our privacy and cookie policy in any way, these changes will be posted on this page. Description of our website cookies and policy is set out separately in our website.

Notification of Changes

If we decide to change our privacy policy, we will post those changes on this page so our users are always aware of what information we collect, how we use it, and under circumstances, if any, we disclose it. If at any point we decide to use personally identifiable information in a manner different from that stated at the time it was collected, we would notify users by way of an email. Users will have a choice as to if we use their information in this different manner. We will use information in accordance with the privacy policy under which the information was collected.