

# **Padgett's Estate Agents**

## **Privacy Policy**

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**We are Padgett's Estate Agents and we operate our business through the following company Company Number 2738982 RP & H Properties Ltd**

**We operate the website**

**www.richardpadgett.co.uk(Website) and provide estate agency, lettings and property management services. We may also advertise our services and properties we are marketing through third party platforms such as On the marketand Zoopla (Third Party Platforms).**

**If you have any queries in respect of your personal data or this policy you can contact us using the following details:**

**Padgett's Estate Agents  
193 Monton Road Eccles M30 9PN  
0161 787 7964**

**This notice sets out how we will use your personal data when you interact with us. This includes where you sell a property with us, purchase a property we are advertising and/or lease a property through us (or make an enquiry in respect of the same), receive our property management services, contact or engage with us by any medium or leave feedback or comments on our Website. Please ensure that you have read and understood this notice and keep a copy for future reference.**

**We have set out below details of when we may collect personal data about you and what personal data we collect:**

- **When you complete our registration form on our Website or on any of our advertisements on Third**

Party Platforms, we may collect your full name, email address, telephone number and details of your property requirements.

- When you complete the contact form on our Website, we may collect your name, email address, telephone number and any other personal data you give us in any message you include.
- When you book a valuation of your property using our Website or by phone, we may collect your name, telephone number, email address, the location of your property and your address.
- When you submit an enquiry in respect of our property management services using our Website or by phone, we may collect your name, email address, details of the property's location and any personal data you give us in any message you include.
- When you visit us in one of our estate agency locations, we may collect your name, phone number, email address, address and details of your property search criteria (including your budget).
- When we carry out a property valuation for you, in addition to the personal data we collect when you submit an enquiry about a valuation, we may also collect details of the value of your property and your property (e.g. energy performance certificates, property descriptions, floorplans, survey results etc.).
- When you engage us to sell your property on your behalf, in addition to the personal data we hold about you from your initial enquiries and our property valuation, we may also collect details of your property sale preferences, legal representatives, mortgage providers and the property you are purchasing (and/or your criteria for such property).



- Where you engage us to purchase a property on your behalf, we may collect your name, address, email address, phone number, budget, property preferences, proof of funds, identification documents, details of the agent you have engaged for your sale and details of anyone 'interested'.
- When you lease a property where we act as agent, we may collect your property locations and preferences, name, phone number, email address, address, previous addresses, nationality, national insurance number, identification documents, employer and job details, income details, guarantor information (where applicable), referee information and references, credit rating and bank details.
- Where you or your business/employer engage us to lease a property and/or manage a property owned by you, or your business/employer we may collect your name, address, email address, phone number, job title, bank details, details of any mortgage on the property and evidence of your ownership of the property.
- Where we manage a property where you are a resident, we may collect your name, email address, address, phone number, length of tenancy, bank details (if we collect payment on your landlord's behalf), meter readings, CCTV footage, your vehicle registration and model, your complaints, comments and feedback.
- Where we interact with you by any other communication method (including, phone, email, post and social media), we may collect your name, email address, phone number, address and any other personal data you provide to us during such interaction.

- When you browse our Website, we may collect technical and usage data, including: your IP address and your activity on our Website (e.g. the length of your browsing session, the pages browsed, the length of time spent on each page and your interaction with the Website).

We may also collect use and share aggregated data such as statistical or demographic data for any purpose.

Aggregated data could be derived from your personal data but is not considered personal data in law as this data will not directly or indirectly reveal your identity. For example, we may aggregate information about property sales/purchases in a particular area so we can better understand our local property market and provide knowledgeable information to our customers.

**We use your personal data for the purpose of dealing with your enquiry, providing our services to you and, occasionally, sending marketing communications to you.** More particularly, we use the personal data set out above for the following reasons:

To provide (or prepare for the preparation of) our valuation services to you, including:

- to respond to any enquiry you make with us;
- to arrange an appropriate time for a valuation;
- to provide our valuation services to you;
- to contact you following our valuation to check if you would like to engage us to deal with the sale of your property and/or if you have any further queries.
- To provide (or prepare for the preparation of) our property sale services to you, including:
  - to respond to any enquiry you make with us;



- to enter into our a contract in respect of such property sale services with you;
- to provide our property sale services to you;
- to share with your conveyancers mortgage providers, insurers, financial advisers and any other relevant parties, with your consent;
- to comply with our legal and regulatory obligations;
- to take payment for the property sale services we provide to you.
- To provide (or prepare for the preparation of) our property lettings services to you, including:
  - running appropriate credit and suitability checks for the tenancy in respect of which you are interested;
  - providing our property lettings services to you;
  - sharing with your potential landlord;
  - processing payment of fees in respect of the tenancy;
  - creating a profile of properties you are likely to be interested in and sending you marketing communications by post, email, text and phone in respect of these;
  - where you are our client (the property owner) or its employee/representative, communicating with you in respect of matters relating to the tenancy, invoicing you in respect of our services and associated matters in respect of our property lettings services.
- To provide (or prepare for the preparation of) our property purchase services, including:
  - to respond to any enquiry you make with us;
  - to arrange property viewings with you;
  - to provide our property purchase services to you;

- creating a profile of properties you are likely to be interested in and sending you marketing communications in respect of these;
  - to comply with our legal and regulatory obligations.
- To provide our property management services, including:
  - registering you as a tenant of the property;
  - communicating with you in respect of matters affecting the property;
  - dealing with your enquiries/comments/complaints;
  - processing your rental and (if applicable) service and utility payments;
  - dealing with the termination of your tenancy and administrative and practical matters in connection with the termination.

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- where you are our client (the property owner) or its employee/representative, communicating with you in respect of matters relating to the property management, invoicing you in respect of our services, remitting tenant monies to you (if appropriate) and associated matters in respect of the property management services.
- To deal with your enquiry/comment and, where appropriate, respond to these.
- To file and retain to comply with our legal and regulatory obligations and, where applicable, defence of any actual or potential complaints or legal claims.
- To send you marketing communications about properties which we think may be of interest to you by post, email, text and phone. We will only do this with your consent.
- To improve our Website and ensure that it functions effectively.



Where we need to collect your personal data by law or regulation, or under the terms of a contract we have with you, and you fail to provide that personal data when requested, we may not be able to perform the contract we have or are trying to enter into with you.

**We will only process your personal data when the law allows us to do so. Most commonly, we will use your personal data where: we need to perform a contract we are about to enter into or have entered into with you; it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests; and/or to comply with a legal obligation.** We have set out below, in more detail, the legal basis we rely upon for the processing activities we carry out:

- Performance of, or preparation for performance of, our contract with you:
  - organisation and provision of our valuation services;
  - organisation of and provision of our property sales and purchase services (including taking any payments due in respect of such services);
  - where you are a tenant who has made an application for a property we are letting, organisation and provision of our lettings services to you (including sharing your data with your proposed landlord);
  - where you are our client, organisation and provision of our property management services;
  - where you are our client, organisation and provision of our property lettings services.
- Necessary for our legitimate interests:
  - Contacting you following our valuation (this helps us generate business);
  - Creating a profile of you to send you marketing communications which we think will be of interest to

you (this helps us promote our properties so we can generate more interest and provide our services in an effective way);

- Where you are interested in a property we are letting but have not yet made a formal application with us, processing your personal data to provide our property letting services. It is in our legitimate interests to be able to market potential properties for let to you so you can decide whether to make a formal application;
- Where you are an occupier of any property we manage, processing your personal data to provide our property management services and, where necessary, sharing this with the owner/landlord of the property (our client). We need to process this data to provide services to our own client;
- Responding to any enquiry/comment you send to us. We need to do this to provide good customer service and operate our business effectively.
- Collecting and analysing technical and usage data from our Website (this helps us improve and secure our Website).
- Your consent:
  - Sending you marketing communications in respect of properties we think are likely to be of interest to you.
  - Sharing of your personal data with legal advisors, mortgage providers, wealth managers etc.
- Compliance with a legal obligation:
  - Filing and retention of personal data/records;
  - Carrying out identification and AML checks.

**You can opt-out of receiving marketing messages at any time.** You have the right to withdraw your consent to us using your personal data in this way at any time and can do so by contacting us using the details below or following



the “opt-out” link in any email marketing communication we send to you.

**We will only transfer your personal data outside of the European Economic Area (EEA) if we are providing our lettings or property management services to you as a tenant/potential tenant and your Landlord is located outside of the EEA.** We will let you know beforehand where this is the case. We will only transfer such personal data as is necessary for your landlord to know (this will generally be your name and contact details only).

**We may share some of your personal data with selected third parties.** This will include:

- our recommended service providers, including lawyers and wealth advisors
- your landlord/potential landlord where we are either providing property letting services or property management services and you are a tenant/potential tenant
- credit reference and AML agencies
- our contractors who need to know your information to carry out work at the property (building, electrical, plumbing, general maintenance, parking enforcement etc.)
- our IT service provider and website host
- our email platform provider
- debt collection agencies

We require all third parties to respect the security of your personal data and to treat it in accordance with the law.

We do not allow our third party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

We may also be required by law or regulation to share your personal data with HM Revenue & Customs and other regulatory authorities.

In the event we choose to sell, transfer or merge parts of our business or our assets, we may transfer your personal data as part of such transaction.

**The length of time for which we will retain and process your personal data will depend on the reason why we are holding your data.** We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other requirements

Details of the retention periods for different aspects of your personal data are set out below:

- Where we are holding your personal data pursuant to a contract we have with you (including for our valuation, property purchase, property sale, lettings and property management services) we will retain



your personal data for the length of the contract and seven years thereafter.

- When you make an enquiry in one of our offices, using our Website or through any other channel, we will retain your personal data for approximately three months following the date of such enquiry.
- Where you are a tenant in a property we manage, we will retain your personal data for such time as you are a tenant of that property and six years thereafter.
- Where you apply for a tenancy in respect of any property we are marketing, we will retain your personal data for the length of your tenancy and it will be deleted promptly after termination of your application.
- We retain technical and usage data for 30 days following collection.
- Where we are holding your personal data for marketing purposes, we will continue to hold this for so long as you are 'engaged' with our emails (i.e. you open our emails or are otherwise in contact with us) following which it will be deleted during our regular reviews. If earlier, your personal data will be deleted when you 'opt-out'.

**We have put in place appropriate security measures to protect your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know such information. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.**

**You have certain rights in respect of the personal data we hold about you which you may be able to exercise in certain circumstances. Your rights are as follows:**

- a right of access to such data. This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
  - a right to object to processing that is likely to cause or is causing you damage or distress.
  - a right to prevent processing for direct marketing.
  - a right to have inaccurate personal data rectified.
  - a right to erasure of such data. This enables you to ask us to delete or remove your personal data where there is not good reason for us to continue processing it and/or you have exercised your right to object.
  - a right to restrict our processing of such data. This enables you to ask us to suspend processing of your personal data where it is inaccurate, our processing is unlawful and/or you require us to hold the data for the establishment, exercise or defence of legal claims.
  - a right to transfer of such data to you or another provider. This enables you to ask us to transfer your personal data to you or a chosen third party in a structured, commonly used and machine-readable format.
  - a right to withdraw your consent at any time.
- If you wish to exercise any of these rights, please contact us using the details set out above.

You also have a right to lodge a complaint with the Information Commissioner's Office (ICO) but we request that you contact us before escalating any complaint to the ICO.

**Our data protection manager can be contacted at the above address and telephone number and by email to Robert Brindle**



**padgettmonton@aol.com**

**We may update this policy from time to time** to reflect changes in the way we use your personal data or legal/regulatory requirements. If we do update this policy in any material way, we will let you know by sending a copy of the updated policy to you