

# Privacy Notice

## Hamilton Chase Ltd. is committed to protecting your privacy

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### INTRODUCTION

In this Privacy Notice the terms, 'we', 'us' and 'our' are references to Hamilton Chase Ltd which is a trading name of Hamilton Chase Estates Limited, company number 05228842 having a registered address of Raydean House,15 Western Parade,Barnet Herts, England,EN5 1AH.

This Privacy Notice sets out the basis on which any personal data we collect from you through our website (<https://www.hamiltonchase.co.uk/>) (**Our Site**), or that you provide to us through Our Site or via other methods you may communicate with us, will be processed by us. Please read the following carefully to understand our views and practices regarding your personal data and how we will treat it, including:

- **What information is being collected if you are a prospective or existing customer?**
- **Use of the information we collect**
- **What is the source of the information we collect?**
- **Data retention**
- **Disclosure of information**
- **Marketing**
- **Third party websites**
- **Security**
- **Cookies**
- **Your rights**
- **Contact**
- **Complaints**

Your privacy is important to us, and we are committed to keeping your information secure and managing it in accordance with our legal responsibilities under applicable data protection laws.

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.

### WHAT INFORMATION IS BEING COLLECTED IF YOU ARE A PROSPECTIVE OR EXISTING CUSTOMER?

We may collect personal information from you in connection with your use of Our Site, including such personal information as:

- your name, email address, telephone number, property address and details of your requirements when you register an online account with us, use an online form or our live chat service to submit an enquiry;
- cookie data which relates to your use of Our Site;

- data sent from your browser to our server which may include:
  - the time, date and duration of your visit to Our Site;
  - the site from which you have come (the referral URL);
  - the pages visited on Our Site; and
  - your IP address.

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, postal address, phone number, email address and details of your requirements where you engage us to provide estate agency and block management services on your behalf either in branch, at your property, by telephone or by email;
- where appropriate your marital status, details of next of kin, dependents and or family information, date of birth, nationality and tax status when you enter into a residential sales, block management or lettings agreement with us;
- financial or other identifiers including your bank account details, tax URN number and income/expenditure details where we manage a financial transaction for you or take payment for the services which we provide to you;
- 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 know your client anti-money laundering checks and right to rent checks and the results of those checks;
- details of any mortgage or insurance, any licensing documentation and service contracts 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 certificate ratings/home reports, property description and survey results when you engage us to market a property for you;
- details of your property's fixtures and fittings including information on your appliances, alarms and furniture if a property is being let;
- photographs of your property and belongings, when marketing your property for sale or to let, preparing an inspection report on the condition of your property or when preparing an inventory to record the condition of your property at the start or end of a tenancy;
- your contact details, move in date, utility 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 if you are a tenant when registering or releasing any deposit from a deposit protection scheme;
- your client reference number and the balance of any debt which you owe when we are required to take steps to collect a debt or take possession of a property; and

- references relating to you, or information required to prepare a reference for you where you are a tenant.

We may collect personal information from you which is of a sensitive nature when you voluntarily choose to provide such information to us. Where we do so we treat this information in accordance with the additional protection it is given under data protection laws.

## **USE OF THE INFORMATION WE COLLECT**

Your information will be used by us in connection with the following purposes:

### **Providing You with Services:**

- To allow us to provide you with the estate agency services which you have asked us to provide, including but not limited to:
  - helping you to sell your property, or to find a property to purchase;
  - valuing your property;
  - conveyancing services
  - letting services ; and
  - block management
- 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;
- to process the receipt and payment of rent, maintenance and tax for you if a property is being let;
- to arrange an energy performance certificate or home report inspection or to create a floor plan for you;
- 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;
- 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, we may share your personal information with credit referencing companies, please refer to the 'disclosure of information' section below for further details;
- to better understand your requirements and provide you with services specific to your needs;
- to improve our services by analysing your personal information so we better understand how you use our services;
- to keep our client records up to date;

### **Marketing of Our Services to You:**

- to provide you with general updates in relation to the property market, in accordance with your preferences;
- to provide you with information which we reasonably believe may be relevant to you based on the services we are providing to you including information on mortgages, protection, insurance and conveyancing;

- to carry out targeted advertising to you on social media websites such as Facebook where you have already shown an interest in our services. This is done through analysing information we collect about your interactions on Our Site and making this available to social media networks;

#### **Responding to Your queries:**

- to help answer any questions which you have asked one of our agents or staff members;
- to provide you with a quote for our services;

#### **Improving Our Site:**

- to analyse cookie and website usage data to keep improving Our Site;
- to allow us to customise the content which is presented to you based on your likely interests;

#### **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:**

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

#### **WHAT IS THE SOURCE OF THE INFORMATION WE COLLECT?**

The majority of the personal information which we collect will have been voluntarily provided by you, however we may also obtain your personal data from other sources including:

- third parties including credit reference agencies, law enforcement/regulatory bodies, companies providing commercially available databases, social networks (such as Facebook), introducer companies who have referred you to us for the delivery of services, your employer, your solicitor, trustees or your power of attorney;
- online property portals such as Rightmove and Zoopla; and
- other publicly available sources such as the electoral roll and HM Land Registry.

#### **DATA RETENTION**

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 de-identify 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.

## DISCLOSURE OF INFORMATION

The information you provide to us will be held on our computers in the UK and may be accessed by or given to our staff or to any member of Hamilton Chase Ltd for the purposes set out in this Privacy Notice or for other purposes approved by you.

We may also disclose your information to the third parties listed below for the following purposes:

- service providers who need to know the information in order to provide us or you with a product or service including our approved contractors for the purpose of carrying out maintenance or gas safety checks at your property, surveyors where you or your mortgage provider require a homebuyers or structural survey to be carried out, your conveyancer, mortgage or insurance adviser;
- where you have provided your consent, for the purpose of discussing your insurance requirements and/or for the purpose of discussing your mortgage and protection requirements;
- our panel conveyancing of firms if you ask us to arrange conveyancing services for you;
- law enforcement bodies and/or other regulatory entities in order to comply with any legal obligation or court order including the police, HMRC and local authorities;
- auction houses where the property you are buying or selling is being sold by auction;
- third parties we work with as part of providing our services and their associated companies and sub-contractors, including (but not limited to) IT administrators, inventory clerks, photographers, utility companies, marketing and transactional communication companies, energy performance certificate companies, companies that facilitate electronic signature of documents and relocation agents;
- referencing companies to check your creditworthiness and to help prevent fraud and money laundering, the check will leave a soft ID footprint on your credit file which should not affect your credit rating;
- social media networks such as Facebook for marketing purposes as explained in the 'use of the information we collect' section of this Privacy Notice;
- debt collection companies to assist us in collecting any monies which you owe to us where payment is overdue;
- our professional advisers, for the purpose of assisting us to better manage, support or develop our business and comply with our legal and regulatory obligations;
- third parties as necessary in the event of a claim or dispute relating to the use of our services;
- if we are providing you with letting services we may share your personal information with:
  - the landlord, or tenant or their guarantor to comply with our legal obligations including our obligation to keep the landlord fully informed where we manage a property on their behalf and to allow you to contact each other directly in circumstances where the landlord is managing the property;
  - referencing agencies where a reference is requested regarding your conduct as a tenant;
  - The Dispute Service Limited trading as TDS for the purpose of providing a tenancy deposit protection scheme;
  - NAEA Propertymark a professional body responsible for raising professional standards amongst letting agents, where information relating to you is requested by them in order to protect your interests; and

- The Property Ombudsman scheme where they are providing an alternative dispute resolution service in connection with the letting and block management services which we are providing.

These parties may be located in the UK or elsewhere in the world where different privacy laws may apply which may not offer the same level of protection as UK law. We only make these arrangements or transfers where we are satisfied that adequate levels of protection are in place to protect any information held in that country and that the service provider acts at all times in compliance with applicable privacy laws.

## MARKETING

We use the information you provide us with to keep you informed about products or services which we provide and which we believe you may be interested in. Where we conduct marketing we do so in accordance with applicable laws.

Where you contact us through Our Site, or make an enquiry in branch or on the phone, we will use the details you have supplied to us to provide you with our general property marketing unless you choose to 'opt-out' of these communications. If you do 'opt-out' then we will not send you information relating to our general property marketing. We may however contact you in future by phone where we reasonably believe (on the basis of services that we are providing to you) that there are additional, different services which you may be interested in. This may be, for example to offer you mortgage and protection services when we are assisting you with your search for a property, or to offer you property insurance services at the point at which you have exchanged contracts for the purchase of a house or agreed a tenancy, or to offer you conveyancing services. We rely on legitimate interests as a lawful basis for processing your information to conduct this above marketing and we ensure you always have the right to opt-out of receiving marketing communications from us. ***If you wish to never receive any form of marketing communication from us you can let us know by contacting us (using the details provided below).***

We do not pass on your information to other companies for their own marketing purposes but from time to time we may tell you about services offered by other entities within Hamilton Chase and ask whether you would like to be provided with marketing by these entities.

If, at any time, you prefer not to receive further communications from us (except in connection with information, products or services that you specifically request), you will have the ability to unsubscribe from such communications by means of a link provided in every message that is sent to you by us or by contacting us.

## THIRD PARTY WEBSITES

Our Site may contain links to other websites. We accept no responsibility or liability for the content of other websites which are not under our strict control, in particular, we are not responsible for the protection and privacy of any information which you provide whilst visiting other websites and such sites are not governed by our Privacy Notice.

## SECURITY

We employ security measures which aim to protect the information provided by you from access by unauthorised persons and against unlawful processing, accidental loss, destruction or damage.

We also expect you to take reasonable steps to safeguard your own privacy when transferring information to us, such as not sending confidential information over unprotected email, ensuring email attachments are password protected or encrypted and only using secure methods of postage when original documentation is sent to us.

## COOKIES

Our Site uses cookies (including cookies to obtain an overall view of visitor habits and visitor volumes to Our Site). To view more information on what cookies we use and how we use them please review our separate Cookies Policy which can be found at <https://www.hamiltonchase.co.uk/cookie-policy>.

## YOUR RIGHTS

You can request copies of your personal information within our custody and control and details of how we use that information. If you think any of the personal information we hold about you is inaccurate, you may also request it is corrected or erased. You can request an electronic copy of your personal data be sent to you, or to another organisation should you wish. You also have a right to require us to stop processing your personal information and/or to withdraw your agreement to processing based on 'consent', unless we have a legal justification for doing so. If you have a complaint about how we have handled your personal information you may contact us using the details below and we will investigate your complaint.

## CONTACT

If you have questions or comments about our Privacy Notice or if you wish to exercise your right to access, correction or erasure mentioned above, please contact our Data Protection Officer by:

**Email:** [info@hamiltonchase.co.uk](mailto:info@hamiltonchase.co.uk);

**Post:** Data Protection Officer, Hamilton Chase Ltd 141 High Street, Barnet, Herts, EN5 5UZ; or

**Telephone:** 020 8441 1123.

## COMPLAINTS

If you have any concerns or complaints as to how we have handled your personal data you may lodge a complaint with the UK's data protection regulator, the ICO, who can be contacted through their website at <https://ico.org.uk/global/contact-us/> or by writing to Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.