



PRIVACY POLICY

BACKGROUND:

Sealeys Estate Agents Limited trading as Sealeys Walker Jarvis understands that your privacy is important to you and that you care about how your personal data is used. We respect and value the privacy of all of our clients and will only collect and use personal data in ways that are described here, and in a way that is consistent with our obligations and your rights under the law.

1. Information About Us

Sealeys Estate Agents Limited trading as Sealeys Walker Jarvis

Limited Company registered in England under company number 04020881

Registered address: 184 Parrock Street, Gravesend, Kent, DA12 1EN

VAT number: 753 814225

Data Protection Officer: Michael Alan Sears

Email address: michael@sealeys.co.uk

Telephone number: 01474 369368

Postal address: 184 Parrock Street, Gravesend, Kent, DA12 1EN

Representative: Lesley Odell

Email address: lesley@sealeys.co.uk

Telephone number: 01474 369368

Postal address: 184 Parrock Street, Gravesend, Kent, DA12 1EN

We are regulated by The National Trading Standards Estate Agency Team (NTSEAT)

We are a member of Propertymark (including The National Association of Estate Agents, The Association of Residential Letting Agents, The National Association of Estate Agents Commercial and The National Association of Valuers and Auctioneers) and The Property Ombudsman

2. What Does This Notice Cover?

This Privacy Information explains how we use your personal data: how it is collected, how it is held, and how it is processed. It also explains your rights under the law relating to your personal data.

3. What Is Personal Data?

Personal data is defined by the UK GDPR and the Data Protection Act 2018 (collectively, "the Data Protection Legislation") as 'any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier'.

Personal data is, in simpler terms, any information about you that enables you to be identified. Personal data covers obvious information such as your name and contact details, but it also covers less obvious information such as identification numbers, electronic location data, and other online identifiers.

The personal data that we use is set out in Part 5, below.

4. **What Are My Rights?**

Under the Data Protection Legislation, you have the following rights, which we will always work to uphold:

- a) The right to be informed about our collection and use of your personal data. This Privacy Notice should tell you everything you need to know, but you can always contact us to find out more or to ask any questions using the details in Part 11.
- b) The right to access the personal data we hold about you. Part 10 will tell you how to do this.
- c) The right to have your personal data rectified if any of your personal data held by us is inaccurate or incomplete. Please contact us using the details in Part 11 to find out more.
- d) The right to be forgotten, i.e. the right to ask us to delete or otherwise dispose of any of your personal data that we hold. Please contact us using the details in Part 11 to find out more.
- e) The right to restrict (i.e. prevent) the processing of your personal data.
- f) The right to object to us using your personal data for a particular purpose or purposes.
- g) The right to withdraw consent. This means that, if we are relying on your consent as the legal basis for using your personal data, you are free to withdraw that consent at any time.
- h) The right to data portability. This means that, if you have provided personal data to us directly, we are using it with your consent or for the performance of a contract, and that data is processed using automated means, you can ask us for a copy of that personal data to re-use with another service or business in many cases.
- i) Rights relating to automated decision-making and profiling. we do not use your personal data in this way
- j) For more information about our use of your personal data or exercising your rights as outlined above, please contact us using the details provided in Part 11.

It is important that your personal data is kept accurate and up-to-date. If any of the personal data we hold about you changes, please keep us informed as long as we have that data.

Further information about your rights can also be obtained from the Information Commissioner's Office or your local Citizens Advice Bureau.

If you have any cause for complaint about our use of your personal data, you have the right to lodge a complaint with the Information Commissioner's Office. We would welcome the opportunity to resolve your concerns ourselves, however, so please contact us first, using the details in Part 11.

5. What Personal Data Do You Collect and How?

Personal data we may collect:

Name, address, telephone number, email address, information enabling us to verify your identity, information relating to the matter in which you are seeking our representation or advice, information to undertake credit or other checks e.g. passport or driving license details and financial details relating to your instructions including: National insurance number, bank and building society details, tax details, your professional online presence, employment status, salary and benefits, employment records including sickness attendance, performance, disciplinary, conduct and grievances, pension details, trade union membership, medical records, racial or ethnic origin, gender and sexual orientation, religious or similar beliefs and other personal identifying information.

This personal data may be required – only should it be relevant – to provide services to you. If you do not provide personal data requested by us, it may delay or prevent us providing services to you.

We collect the majority of personal information from you directly. We may also use other sources such as:

- Companies House/HM Land Registry
- Case and document management systems
- From a third party with your consent (e.g. banks, financial advisor, professionals engaged in your matter, employers, professional bodies, pension administrators, NHS professionals, your referees and guarantors, credit reference agents).
- Automated monitoring and analytics or our website and other IT systems

6. How Do You Use My Personal Data?

Under the Data Protection Legislation, we must always have a lawful basis for using personal data. The following list describes how we may use your personal data, and our lawful bases for doing so:

Your personal data can only be processed (i.e. taken/stored) if we have a proper reason to do so;

Contractual: To comply with legal and regulatory obligations and/or for the performance of our contract with you or a client of ours for whom we act as agent, or at your request prior to entering into any such contract.

Legitimate Interest: Sealeys have a legitimate interest in storing your personal data or those of a third party where we have a commercial or business reason to do so, so long as this is not overridden by your own rights and interests.

Consent: where you have given consent.

Personal data may be used for the following reasons:

- To provide our property services (residential and commercial sales, lettings and management) for a contractual performance or to take steps before entering into a contract including constant record updates.

- To conduct identity verification/financial and other screening embargoes/processing to meet professional, legal and regulatory obligations associated with our services and information gathering required by external audits, enquiries and investigations by regulatory bodies and our external auditors including statutory returns.
- For internal business reasons to ensure company policies and procedures are adhered to including staff training and quality control.
- To ensure the commercial confidentiality of sensitive and valuable information including intellectual property.
- To prevent unauthorised access and modifications to systems including prevention of criminal activity damaging to you and us.
- To ensure safe working practises as compliant with statutory and non-statutory procedures for health and safety at work reasons.
- To market our services to existing and former clients, third parties who have shown interest in our services and to third parties as of, yet we have had no dealings.
- To enter into/maintain/update/change and/or claim for our or our client's insurances as required under these specific policies.

The above list is an example of but not exhaustive of the many reasons why personal data may be processed including secure storage. Personal explicit data will only be processed by us, however, with your consent.

With your permission and/or where permitted by law, we may also use your personal data for marketing purposes, which may include contacting you by email, telephone, text message and post with information, news, and offers on our products and services. You will not be sent any unlawful marketing or spam. We will always work to fully protect your rights and comply with our obligations under the Data Protection Legislation and you will always have the opportunity to opt-out. We will always obtain your express opt-in consent before sharing your personal data with third parties for marketing purposes and you will be able to opt-out at any time.

We will only use your personal data for the purpose(s) for which it was originally collected unless we reasonably believe that another purpose is compatible with that or those original purpose(s) and need to use your personal data for that purpose. If we do use your personal data in this way and you wish us to explain how the new purpose is compatible with the original, please contact us using the details in Part 11.

If we need to use your personal data for a purpose that is unrelated to, or incompatible with, the purpose(s) for which it was originally collected, we will inform you and explain the legal basis which allows us to do so.

In some circumstances, where permitted or required by law, we may process your personal data without your knowledge or consent. This will only be done within the bounds of the Data Protection Legislation and your legal rights.

7. **How Long Will You Keep My Personal Data?**

We may keep your personal data after we have finished advising or acting for you, because:

- We may need to respond to any questions, complaints or claims made by you or on your behalf.
- We may need to carry out checks for conflicts of interest in the future.
- We may need to demonstrate we treated you fairly.
- We may need to keep records as required by law.

Your personal data will not be stored for longer than is necessary. Different retention periods

apply to different data sets. You can request information on how long data will be held specific to the matter in hand.

8. **How and Where Do You Store or Transfer My Personal Data?**

Information may be held at our offices or those of third party agencies, service providers, representatives and agents as listed in Section 9.

The security of your personal data is essential to us, and to protect your data, we take a number of important measures, including the following:

- limiting access to your personal data to those employees, agents, contractors, and other third parties with a legitimate need to know and ensuring that they are subject to duties of confidentiality;
- procedures for dealing with data breaches (the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, your personal data) including notifying you and/or the Information Commissioner's Office where we are legally required to do so;

To deliver services to you, sometimes it will be necessary to share your personal data outside the EEA e.g. with your service providers outside the EEA/if you are based outside the EEA/where there is an international dimension to the matter in which we are advising you. In this instance, we will however ensure that transfer of your personal data only happens with countries deemed to provide adequate protection and security as defined by The European Commission.

9. **Do You Share My Personal Data?**

We may routinely share personal data with:

- Our IT/software/telephone providers.
- Our credit reference agencies, insurers and brokers, our banks.
- Our accountants and auditors.
- Professional advisors who we instruct on your behalf or refer you to e.g. solicitors, accountants, financial and tax advisors, other experts.
- Other people involved in your matter (e.g. the other side or a superior landlord) and their advisors.
- Third parties necessary to carry out your instructions (e.g. HM Land Registry, Companies House etc).
- External service providers, representatives and agents that we use to make our business more efficient, e.g. IT analytics, IT service providers etc, gas check engineers, property maintenance professionals etc.

We will only allow our service providers to handle our personal data should we be satisfied they take appropriate measures to protect your personal data. We also impose contractual obligations on service providers to ensure they can only use your personal data to provide services to you and us. We may also need to share some personal data with other parties such as potential buyers of some or all of our business during a restructuring.

10. **How Can I Access My Personal Data?**

If you want to know what personal data we have about you, you can ask us for details of that personal data and for a copy of it (where any such personal data is held). This is known as a "subject access request".

All subject access requests should be made in writing and sent to the email or postal

addresses shown in Part 11.

There is not normally any charge for a subject access request. If your request is 'manifestly unfounded or excessive' (for example, if you make repetitive requests) a fee may be charged to cover our administrative costs in responding.

We will respond to your subject access request within one and, in any case, not more than one month of receiving it. Normally, we aim to provide a complete response, including a copy of your personal data within that time. In some cases, however, particularly if your request is more complex, more time may be required up to a maximum of three months from the date we receive your request. You will be kept fully informed of our progress.

11. **How Do I Contact You?**

To contact us about anything to do with your personal data and data protection, including to make a subject access request, please use the following details (for the attention of Michael Alan Sears)

Email address: michael@sealeys.co.uk

Telephone number: 01474 369368

Postal Address: 184 Parrock Street, Gravesend, Kent, DA12 1EN

12. **Changes to this Privacy Notice**

We may change this Privacy Notice from time to time. This may be necessary, for example, if the law changes, or if we change our business in a way that affects personal data protection.

Any changes will be made available via www.sealeys.co.uk. This Privacy Notice was last updated on 31st January 2023.