

Walton & Hipkiss

GDPR Privacy Policy

General Data Protection Regulation
Version 2/25

PRIVACY NOTICE

BACKGROUND:

Walton & Hipkiss 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 customers, applicants, vendors, tenants and landlords 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

Walton & Hipkiss Estate Agents.

Walton & Hipkiss is a registered Limited Company registered in England under company number 09679090. Walton & Hipkiss (Kidderminster) company number 09795510 trade under the name of Walton & Hipkiss.

Registered address: 111 Worcester Road, Hagley, DY9 0NG

Main trading addresses: 111 Worcester Road, Hagley, DY9 0NG.

Hagley Road, Stourbridge, DY8 1QH.

55 Oxford Street, Kidderminster, DY10 1BJ.

VAT number: 229423802.

Data Protection Officer: Brett Watton.

Email address: bw@waltonandhipkiss.co.uk.

Telephone number: 01562 519777.

Postal Address: 55 Oxford Street, Kidderminster, DY10 1BJ.

We are regulated by The Property Ombudsman, HMRC.

NAEA Property Mark, ARLA Property Mark, 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 General Data Protection Regulation (EU Regulation 2016/679) (the "GDPR") 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 GDPR, 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 have. 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 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.
- h) Rights relating to automated decision-making and profiling. We do not use your personal data in this way Part 6 explains more about how we use your personal data, including automated decision-making profiling.

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.

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.

5. **What Personal Data Do You Collect?**

We may collect some or all of the following personal data (this may vary according to your relationship with us:

- Name
- Date of birth
- Gender
- Address

- Email address
- Telephone number
- Business name
- Job title
- Profession
- Payment information
- Information about your preferences and interests

Your personal data is obtained from the following third party **OR** parties:

- Rightmove
- On the market.com
- Val Pal
- Co-Star
- Walton & Hipkiss Home Website

6. How Do You Use My Personal Data?

Under the GDPR, we must always have a lawful basis for using personal data. This may be because the data is necessary for our performance of a contract with you, because you have consented to our use of your personal data, or because it is in our legitimate business interests to use it. Your personal data will be used for **all OR** may be used for one of the following purposes:

- Providing and managing your personal details and data.
- Supplying our products **AND** services to you. Your personal details are required in order for us to enter into a contract with you.
- Personalising and tailoring our products **OR** services for you.
- Communicating with you. This may include responding to emails or calls from you.
- Supplying you with information by email **AND** post that you have opted-in to (you may unsubscribe or opt-out at any time by E-mail, phone call or letter).

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 **AND/OR** telephone **AND/OR** text message **AND/OR** post with information, news, and offers on our products **OR** 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 GDPR and the Privacy and Electronic Communications (EC Directive) Regulations 2003, and you will always have the opportunity to opt-out.

We use the following automated systems for carrying out certain kinds of decision-making **OR** profiling. If at any point you wish to query any action that we take on the basis of this or wish to request 'human intervention' (i.e. have someone review the action themselves, rather than relying only on the automated method), the GDPR gives you the right to do so. Please contact us to find out more using the details in Part 11.

- The following automated decision-making method(s) may be used:
 - Credas – for Anti Money Laundering purposes, the used data could be one or more of name, address, date of birth, contact details, e-mail address, phone number, passport number, driving licence number, and utility bills. The intended result is to have an agreement that the data provided by the applicant passes AML checks.
 - Canopy referencing – for tenant referencing purposes, the used data could be one or more of name, address, Date of birth, telephone numbers, email addresses, occupation, employer’s details, passport number, driving licence number and utility bills. The intended result is to get an approval or disapproval of tenancy
- The following automated profiling may take place:
 - Rezi – for registering property needs, viewings, valuations, property searches and property alerts.
 - Dezrez – for registering Commercial property needs, viewings, valuations, property searches and property alerts.
 - CFP Software – for all property management needs, accounting for lettings agents, tenant and landlord needs.
 - Blocks On-Line – for all Block Management needs, accounting for Block Management and maintenance.

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

We will not keep your personal data for any longer than is necessary in light of the reason(s) for which it was first collected. Your personal data will therefore be kept for the following periods (or, where there is no fixed period, the following factors will be used to determine how long it is kept):

- Anti-Money Laundering Regulation Identification, hold personal data for 5 years after registering identification for transactional purposes.
- Probate Valuations, retain personal data for 5 years after probate valuation was carried out due to potential district valuers intervention or legal agreements.
- Landlord & Tenant data held for 5 years after transaction comes to an end due to Anti-Money Laundering purposes.
- Personal Data held by Rezi agency database will be retained for a period as long as mutual contact is made, personal data will be deleted if no contact after 18 months. Any legal agreements the data will be held accordingly within the transactional timeframe of 5 years. Data is deleted if requested when GDPR confirmation e-mail is sent or if the contact requests data to be deleted and if we have not transacted with them.

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

We will only store or transfer your personal data in the UK. This means that it will be fully protected under the GDPR.

OR

We will only store or transfer your personal data within the European Economic Area (the “EEA”). The EEA consists of all EU member states, plus Norway, Iceland, and Liechtenstein. This means that your personal data will be fully protected under the GDPR or to equivalent standards by law.

OR

We may store or transfer some or all of your personal data in countries that are not part of the European Economic Area (the “EEA” consists of all EU member states, plus Norway, Iceland, and Liechtenstein). These are known as “third countries” and may not have data protection laws that are as strong as those in the UK and/or the EEA. This means that we will take additional steps to ensure that your personal data is treated just as safely and securely as it would be within the UK and under the GDPR as follows.

We share your data within the group of companies of which we are a part. Where this involves the transfer of personal data outside the EEA, our group ensures that personal data is protected by requiring all companies within the group to follow the same rules with respect to personal data usage. These are known as “binding corporate rules”. More information on binding corporate rules is available from the [European Commission](#).

OR

We share your data with external third parties, as detailed below in Part 9, that are based outside of the EEA. The following safeguards are applied to such transfers:

We will only transfer your personal data to countries that the European Commission has deemed to provide an adequate level of personal data protection. More information is available from the [European Commission](#).

OR

We use specific contracts with external third parties that are approved by the European Commission for the transfer of personal data to third countries. These contracts ensure the same levels of personal data protection that would apply under the GDPR. More information is available from the [European Commission](#).

AND/OR

Where we transfer your data to a third party based in the US, this may be protected if they are part of the EU-US Privacy Shield. This requires that third party to provide data protection to standards similar levels of data protection to those in Europe. More information is available from the [European Commission](#).

Please contact us using the details below in Part 11 for further information about the particular data protection mechanism used by us when transferring your personal data to a third country.

9. Do You Share My Personal Data?

We will not share any of your personal data with any third parties for any purposes, subject to one important exception.

In some limited circumstances, we may be legally required to share certain personal data, which might include yours, if we are involved in legal proceedings or complying with legal obligations, a court order, or the instructions of a government authority.

OR

We may share your personal data with other companies in our group. This includes subsidiaries **OR** our holding company and its subsidiaries.

We may sometimes contract with the following third parties to supply products **AND/OR** services to you on our behalf. These may include payment processing, delivery, and marketing. In some cases, those third parties may require access to some or all your personal data that we hold.

- Infinity Financial Advice. 19-21 Market Street, Stourbridge, DY8 1AB. Purpose for storing personal data is for Mortgage, financial advice and Insurances. Data passed by secure website.
- I am Sold. Arden House, Regent Court, Newcastle Under Lyne, NE3 3LY. Purpose for storing data is for Commercial and online Sales Auction. Data passed by secure website.
- Credas. The Maltings, E Tyndall Street, Cardiff, CF24 5EA. Purpose for storing data is for a digital check for Anti-Money Laundering Regulations. Data passed by secure website.
- Canopy Referencing. One Suffolk Way, Seven Oaks, Kent, TN13 1YL. Purpose for storing data is for Tenant Referencing purposes. Data passed by secure website.
- Setfords Property Conveyancing. 74 North Street, Guildford, Surrey, GU1 4AW. Purpose for storing data is for obtaining conveyancing quotes and processing sale conveyancing to buyers and sellers. Data passed via secure e-mail.
- Wall, James & Chappell Solicitors. 15-23 Hagley Road, Stourbridge, West Midlands, DY8 1QW. Purpose for storing data is for obtaining conveyancing quotes and processing sale conveyancing to buyers and sellers. Data passed via secure e-mail & Hoowla.
- Dezrez Legal Property Conveyancing. Waterfront, Kings Road, Swansea, SA1 8AS. Purpose for storing data is for obtaining conveyancing quotes and processing sale conveyancing to buyers and sellers. Data passed via Dezrez CRM- already noted within Section 6.
- Present Your Property. 85 Great Portland Street, London, W1W 7LT. Purpose for storing data is for marketing such as photography, videos and floor plans. Data passed via Present Your Property website.

- Mortgage Solutions Hub. 5 Carlton House, Worcester Street, Kidderminster, DY10 1EL. Purpose for storing data is for Mortgage, financial advice and Insurances. Data passed by secure website.
- Hoowla Case Management Software. 54 Mansell Street, Swansea, SA1 5TE. Purpose for storing data is for case conveyancing management. Data is passed via secure website.
- Blocks On-Line. 79 College Road, Harrow, HA1 1BD.

Further 3rd Party contacts below are where information such as phone number and e-mail only is passed for Maintenance repairs for tenants / landlords and within Block Management. Phone number and e-mails may also be passed for sellers or buyers but not without prior approval from sellers, buyers, tenants and landlords.

Any maintenance companies we use are fully approved by Lettings Manager and hold their own GDPR Policies and procedures.

- MJ Plumbing and Heating – Gas & Heating engineers
- Dudley Gas Services Limited – Gas & Heating engineers
- Wired by BLH Electrical Services Limited – Electrical engineers
- MT Cleaning – Contract Cleaners / Multiply Maintenance Contractors
- MDL Electrical – Electrical Engineers.
- BPM Electrical – Electrical Engineers
- HJS Roofing & Maintenance – Roofing & Maintenance Contractors
- Team Property Maintenance – All Maintenance Contractors
- Rosies Garden Maintenance – Gardening and landscaping Contractors
- Autoguard Alarms – Alarm Engineers
- GR Office Solutions – Cleaning Contractors
- NJK Heating Limited – Gas & Heating engineers
- Kats Eyes CCTV & Alarms – Alarm Engineers
- Midland Fire & Security Ltd – Fire Equipment – Block Management
- RCP Property Management – Management Services – Block Management
- Wyre Forest Drains – Drain specialists / Surveys and repairs

If any of your personal data is required by a third party, as described above, we will take steps to ensure that your personal data is handled safely, securely, and in accordance with your rights, our obligations, and the third party's obligations under the law, as described above in Part 8.

If any personal data is transferred outside of the EEA, we will take suitable steps in order to ensure that your personal data is treated just as safely and securely as it would be within the UK and under the GDPR, as explained above in Part 8.

In some limited circumstances, we may be legally required to share certain personal data, which might include yours, if we are involved in legal proceedings or complying with legal obligations, a court order, or the instructions of a government authority.

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. To make this as easy as possible for you, a Subject Access Request Form is available for you to use. You do not have to use this form, but it is the easiest way to tell us everything we need to know to respond to your request as quickly as possible.

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 15 Working days 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 Brett Watton:

Email address: bw@waltonandhipkiss.co.uk.

Telephone number: 01562 519777.

Postal Address: 55 Oxford Street, Kidderminster, DY10 1BJ.

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 Walton & Hipkiss, 55 Oxford Street, Kidderminster, DY10 1BJ.