

Madison Oakley Estate Agents

Data Protection Policy/Privacy Notice

Introduction

This notice covers our use of Personal Data.

We are registered as a data controller under the Data Protection Act (ICO registration Z2082316) as we collect and process personal information. This applies to our clients, third party contractors and members of the public as potential customers.

Data we collect about you

Madison Oakley Estate Agents collect and hold personal data for and on behalf of the following clients/customers;

- Vendors
- Buyers
- Potential buyers
- Trades (builders, roofers, damp proofing contractors etc)
- Professional service providers (solicitors, surveyors, EPC assessors etc)

We do not keep or process personal data from any other individuals.

In each of the above cases, we may collect personal data of the following types;

- Names
- Addresses
- Contact details (telephone, email etc)
- Identification documents (for due diligence purposes only)
- Limited financial information (for due diligence purposes only)

We will keep your information for longer than is necessary.

Why do we hold personal data?

Having examined our business practices in detail, we have a lawful basis for collecting and holding personal data as follows;

1. Contract with the individual – this may include being employed under contract to sell a property or to act for a seller in conjunction with a buyer to bring a mutually acceptable transaction to successful conclusion. On behalf of our contracted clients, we may also be asked to contact service providers (trades or professionals) or assist them to communicate with our clients directly. We also supply our services to current and potential buyers – ie informing them of properties they may wish to purchase, conducting appointments with them and continuing communication throughout subsequent transactions.
2. Compliance with legal obligations – as estate agents, we are principally regulated by the EAA 1979 and the Consumer Protection from Unfair Trading Regulations 2008. We also have duties under the Money Laundering Regulations 2007 to anticipate and prevent money laundering and to verify our client's identity. Lastly, to comply with HMRC regulations, we are required to keep financial records for up to 7 years from the end of the last company financial year they relate to, or longer if: they show a transaction that covers more than one of the company's accounting periods. Your details will not be kept longer than is necessary.
3. Vital interests – we will collect limited personal data in order to safeguard the security of our partners on appointments outside the office environment.

Protecting Personal Data

Any personal data held is kept securely – either within a password protected (minimum two consecutive passwords to access) database or in paper records held within locked premises. Archive records held under legal obligations are kept in secure storage away from our office. In every above case, all personal data is only accessible by our partners.

How do we use your data?

Madison Oakley Estate Agents do not contact past, current or potential future clients in an unsolicited manner (“marketing communications”). To be entirely specific, we do not carry out unsolicited mailing, telephone calls or email marketing to any client who has not specifically contacted us to access our services. If a potential client has requested our services, we will carry out their instructions in a timely manner and record only what data is necessary to comply with their instructions. In addition, we do not initiate further contact with potential clients after our services have been provided (eg once a market appraisal has taken place) although we will retain the information provided for those services for no longer than is necessary and a maximum period of no more than 2 years prior to erasure.

Madison Oakley do not provide referrals to third party providers (solicitors, surveyors, utility companies etc). We do not “sell” any associated services to our clients and will not provide personal

data on any consumer to a third party unless required to do so as part of an ongoing transaction (eg sales letters to solicitors or access arrangements for surveyors/trades).

Any consumer who requests inclusion on our mailing list will have their contact details and requirements recorded in order for us to best serve their interests – this will include contacting them when properties are marketed that suit their requirements. These records are automatically archived within 6 months unless a transaction results (in which case any records will be held for up to 7 years under HMRC regulations).

Who do we share your data with?

Data will only be shared with parties outside our company when it is necessary as part of an ongoing transaction – this will usually include solicitors and professional services providers engaged or assisting with marketing or conveyancing a property. In most cases, we will be acting as facilitators for communication between the various parties in the transaction and will be acting on clients instructions.

No other parties or organisations have access to your personal data unless it is specifically required to meet either contractual obligations or as required by law.

Your rights to your data

You have the right to ask us for a copy of the information that we hold about you. If you would like a copy of some or all your personal information, please contact us (see below for details).

We make all efforts to ensure that data we hold about you is correct. Your data is important to us, and you may ask us to correct or remove information you think is inaccurate.

If you feel that we should no longer be using your personal data or that we are unlawfully using your personal data, you can request that we erase the personal data we hold. We will confirm whether the personal data has been deleted or the reason why it cannot be deleted (for example because we need to comply with a legal obligation).

Complaints

You may make complaints about your personal data by contacting us (details below).

If you are not satisfied with our response, you may make a complaint about our handling of your personal data by contacting the Information Commissioner's Office (<https://ico.org.uk/concerns/handling/>).

How can you contact us

For matters relating to this policy and your data, please contact us by email or write to us with the reference 'Data Protection';

9 Moorland Rd, Bath BA2 3PL or info@madisonoakley.co.uk