

Hazelwells  
32 Winckley Sq  
Preston, Lancs  
PR1 3JJ

# General Data Protection Regulation (GDPR)

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Effective  
25 May 2018

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## GDPR & the UK Data Protection Act 2018

The GDPR has direct effect across all EU member states and has already been passed. The UK government has legislated to observe this EU regulation with the UK Data Protection Act 2018. This means that organisations will still have to comply with this regulation and the UK will still have to look to the GDPR for most legal obligations, despite the UK's withdrawal from the EU. However, the GDPR gives member states limited opportunities to make provisions for how it applies in their country. One element of the DPA 2018 is the details of these. It is therefore important the GDPR and the DPA 2018 are read side by side. However, the DPA 2018 is not limited to the UK GDPR provisions.

## GDPR Consent Form – [hazelwells.com/privacy](https://hazelwells.com/privacy)

If you are an existing customer with a contractual link to our business, you have already provided the required consent to maintain contact with you to meet our contractual obligations.

If you are a new customer who has made an initial enquiry through our website, or through one of the many portals where we market property listings, then you will have also provided the required tacit informed consent for us to make contact with you to begin pre-contractual discussions towards negotiations of a contract.

However, if you have contacted one of our agents by telephone or in person and have requested further information in relation to our services or with regard to a property listing then there may be a requirement for you to complete the GDPR Consent Form available at <https://hazelwells.com/privacy>.

## GDPR | Privacy Policy | Terms & Conditions

This Privacy Policy sets out how Hazelwells uses and protects any information that you provide when you engage with Hazelwells – and outlines the lawful bases for the processing of such personal data in-line with the European GDPR. Hazelwells is committed to ensuring that your privacy is protected. If you provide certain information in the course of your dealings with us, by which you can be identified and contacted, then you can be assured that it will only be used in accordance with this privacy statement. Our website is not intended for use by children. Hazelwells acts as both Data Controller and Data Processor along with other third party data processors who may also handle personal data in-line with the European GDPR. Hazelwells may change this policy from time to time by updating this page. You should check this page from time to time to ensure that you are happy with any changes. This policy is effective from May 2018.

**What we collect -** We may collect the following information including but not limited to:

*Identity Data* including but not limited to your full name, date of birth, status and job title;

*Contact Data* including but not limited to email address, address and phone numbers;

*Communications Data* including but not limited to marketing preferences and promotions;

*Usage Data* including but not limited to preferences and other information relevant to applications, contracts, customer surveys, security procedures both online and offline;

*Financial Data* including but not limited to banking details, charges and payment history, income and credit reference data.

**How we collect your information –** We may collect your personal data and other information using different methods, both online and offline, when you: apply for our services; register your details with us; subscribe to our updates; request direct marketing; engage with us on social media; enter competitions/promotions or surveys; provide feedback; visit us in branch; call us.

**What we do with your information -** We process personal data to meet our legal obligations of accurate internal record keeping, understand your needs and provide our services. We may also use your information to contact you for research purposes. We may contact you by email, phone, fax or postal mail. We may use the information we gather internally to improve our products and

services. We may use the information to customise the marketing we send to you. We may periodically send promotional emails about new products, special offers or other information which we think you may find interesting using the email address or other contact details you have provided.

**Data Security** - We are committed to ensuring that your information is secure. In order to prevent unauthorised access or disclosure, we have put in place suitable physical, electronic and managerial processes to safeguard the information we collect both online and on paper. Our data security is subject to ongoing updates and reviewed on a continual basis. We may at times engage external third parties to assist us who operate under the duty of confidentiality.

**Consent** – By providing your details to Hazelwells (and/or any third party for whom we act as an agent), you consent to us contacting you to discuss both your initial enquiry and any subsequent negotiations along with any other relevant communications and direct marketing. Your consent can be withdrawn for the purposes of marketing at any time, however, we may still be required to retain your details on file for a number of other purposes as outlined below.

**Contract** – If you have entered into business with us (and/or any third party for whom we act as an agent) on a contractual basis then we are legally required to hold and process the personal data you have provided in order to comply with our obligations under such contract. This may also apply where you have begun discussions with us (and/or any third party for whom we act as an agent) as a first pre-contractual step towards negotiations of a contract, at which point we will be required to process your personal data in order to progress towards any potential contractual agreement and to exercise the performance of any such contract.

**Legal Obligations** - There are numerous instances where Hazelwells may be subject to a legal obligation under both EU and UK law which may require personal data to be held and processed in order for us to fulfill such legal obligations and remain compliant with the law. This does not mean that there must be a legal obligation specifically requiring the specific processing activity – however, data may be held in order to comply with a number of regulatory requirements, such as: The Proceeds of Crime Act 2002, The Immigration Act 2014; The Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017; to name just a few recent pieces of legislation under which we are obliged to retain relevant records.

Vital Interests – As a responsible agent and managing agent, Hazelwells will require personal data for all occupiers of property along with Next of Kin information and other personal data which may be held for processing in order to secure the vital interests of the subject or of another natural person. This vital interest includes but is not limited to medical emergencies and other emergencies.

Public Task – Hazelwells will provide personal data to external official authorities in line with our legitimate interest in order to allow said official authority to carry out its public task/duty. This includes, but is not limited to public authorities, Police, local councils, private utility companies and private water companies who rely on the public task basis to process personal data. This is because they are considered to be carrying out functions of public administration and they exercise special legal powers to carry out their services in the public interest.

Legitimate Interest – As a business, it is within Hazelwells legitimate interest not only to abide by its contractual and legal obligations (including vital and public interests) but to pursue the growth and sustainability of our business and relationships with all clients and contacts. It is in this regard that we may contact you in relation to any previous transaction or communication to offer our services, using personal data which you may have previously provided, wherever reasonable. We will pursue our commercial interest with minimal privacy impact and without overwhelming the data subject's interests or causing intrusive/unwarranted harm.

Controlling your personal information - We will not sell, distribute or lease your personal information to third parties unless we have your permission or are required by law to do so. If you have any queries in relation to this policy or you would like a copy of the information or wish to update the personal data we hold on you then you must contact us by email at [dpo@hazelwells.com](mailto:dpo@hazelwells.com) or by writing to the Data Protection Officer, Hazelwells, 32 Winckley Square, Preston, Lancashire PR1 3JJ. If you believe that any information we are holding on you is incorrect or incomplete, please write to or email us as soon as possible at the above address. We will promptly correct any information found to be incorrect. You may choose to restrict the collection or use of your personal information for marketing purposes: if you are asked to fill in a form on the website, look for the box that you can click to indicate that you do not want the information to be used for direct marketing purposes. If you have previously agreed to us using your personal information for direct marketing purposes, you may change your mind at any time by clicking the unsubscribe link in

any marketing email or by writing to us at the above address or by email at [unsubscribe@hazelwells.com](mailto:unsubscribe@hazelwells.com)

Data Retention Policy – We will maintain a record of your personal data following your use of our services for a minimum period of seven years in order to meet our legal, regulatory and accounting obligations. If we are required for any reason to hold your data for any longer then we will only do so in our legitimate interest, however we will consider any potential security risks to data when making such a decision in order to ensure the safeguarding of the personal data.

Transfer of Data – We will not transfer your data outside of the EEA, except to another third country offering the same level of protection. We may choose to sell, transfer or merge parts of our business or acquire other assets. If such a change happens with our business, these terms will still apply and the new entity will control/process your data as outlined in this privacy notice.

Legal Rights – Under current EU and UK law you have the right to protection of your personal data. This includes the following rights: the right to be informed, the right of access, the right to rectification, the right to erasure, the right to restrict processing, the right to data portability, the right to object and, finally, rights in relation to automated decision making and profiling. Your statutory rights are not affected. The rights listed above may only apply in certain circumstances and if we are otherwise compelled to retain and process your data we may not always be in a position to comply with your specific request. We will endeavor to respond to your subject access request within one month of receipt, but this may take longer if your request is detailed or complex in nature or if you have made a number of similar requests. You will not have to pay a fee in order to exercise these rights, however where any requests are deemed to be unfounded, repetitive or excessive we may refuse to comply with your request. If you are not satisfied with how we have handled a subject access request then you must in the first instance contact The Data Protection Officer by emailing [dpo@hazelwells.com](mailto:dpo@hazelwells.com) or writing to Data Protection Officer, Hazelwells, 32 Winckley Square, Preston, Lancashire PR1 3JJ. If you remain unsatisfied, you can raise a complaint with the Information Commissioner's Office or with the Property Ombudsman Service, of which we are registered members. They will advise you that you must have exhausted our internal processes before they will accept an official complaint. This is the same for all formal complaints, not just those related to privacy.

## UPDATED Terms & Conditions - including website cookie policy - effective 25<sup>th</sup> May 2018

Indemnity Policy – All information provided by Hazelwells and on hazelwells.com is done so Without Prejudice. You acknowledge by engaging with us and by using our website that you are responsible for satisfying the information obtained and are solely liable for the results there of. If any part of our terms, conditions or privacy policy are deemed unenforceable then the enforceability of any other part will not be affected. These terms are governed by English Law.

Disclaimer - The information contained in an email, an attachment or in any document (either digital or physical) is intended only for the addressees and may contain privileged and confidential information which is believed to be correct at the time of transmission. Any offers, negotiations or comments contained within an email or any document (either digital or physical) are subject to contract and are made without prejudice. Any views or opinions expressed are solely those of the author and do not necessarily represent those of Hazelwells. The information contained in any document (either digital or physical) does not constitute specific advice or recommendation and is for general interest only. You should perform your own research and seek professional advice before making any decision to purchase or invest in property. If you are not the intended recipient of a communication, you must neither take any action based upon its contents, nor copy or show it to anyone. The unauthorised use, disclosure, copying or alteration of any communication, attachment or document is forbidden and they remain the property of Hazelwells and copyright is reserved by them. Files are current only at the time of attachment and use of any attached content is at the recipient's own risk. Hazelwells will not be liable for direct, special, indirect or consequential damage as a result of any malicious program being passed on or arising from alteration of the contents of any communication by a third party. Please contact the sender if you believe you have received a communication in error.

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They do not signify that we endorse the website(s). We have no responsibility for the content of the linked website(s). Your use of this website and any dispute arising out of such use of the website is subject to the laws of England, Northern Ireland, Scotland and Wales.

**Cookie Policy** - A cookie is a small file on a website which asks permission to be placed on your computer's hard drive. Once you agree, the file is added and the cookie helps analyse web traffic or lets you know when you visit a particular site. Cookies allow web applications to respond to you as an individual. The web application can tailor its operations to your needs, likes and dislikes by gathering and remembering information about your preferences. We use traffic log cookies to identify which pages are being used. This helps us analyse data about webpage traffic and improve our website in order to tailor it to customer needs. We only use this information for statistical analysis purposes and then the data is removed from the system. Overall, cookies help us provide you with a better website by enabling us to monitor which pages you find useful and which you do not. A cookie in no way gives us access to your computer or any information about you, other than the data you choose to share with us. You can choose to accept or decline cookies. Most web browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies if you prefer. This may prevent you from taking full advantage of the website. **Links to other websites** - Our website may contain links to other websites of interest. However, once you have used these links to leave our site, you should note that we do not have any control over that other website. Therefore, we cannot be responsible for the protection and privacy of any information which you provide whilst visiting such sites and such sites are not governed by this privacy statement. You should exercise caution and look at the privacy statement applicable to the website.

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As a Full Member of The Property Ombudsman (TPO) we commit to TPO Codes of Practice. You can therefore rest assured that our services are covered by professional indemnity insurance alongside a comprehensive client money protection insurance policy.

