

CB Williams Property Limited

Privacy Notice

1. General

- 1.1 CB Williams Property Limited trading as CB Williams Property (“we”, “us” or “CB Williams”) takes the privacy of your information very seriously.
- 1.2 This Notice (together with our Terms of Use, a link to which can be found on the homepage of our website), is designed to tell you, the user of our services (the “Services”) about our practices regarding the collection, use and disclosure of personal information which may be provided via our website (the “Site”) or collected through other means such as in person by us, by an online form, email, or telephone communication.
- 1.3 This Notice applies to any personal information we hold about individuals (other than staff), whether they are a client or otherwise. In this Notice “you” refers to any individual whose personal data we hold or process (i.e. to you as an individual client, or an individual affiliated with one of our business clients).
- 1.4 This Notice is governed by the EU General Data Protection Regulation (the “GDPR”) from 25 May 2018.
- 1.5 This Notice applies to personal data we hold about you. “Personal data” means information that relates to you as an identified or identifiable person.

2. Legal basis on which we process personal data

- 2.1 Personal data we hold about you will be processed either because:
 - 2.1.1 you have consented to the processing for the specific purposes described in this Notice;
 - 2.1.2 the processing is necessary in order for us to comply with our obligations under a contract between you and us; or
 - 2.1.3 the processing is necessary in pursuit of a “legitimate interest”, a legitimate interest in this context means a valid interest we have or a third party has in processing your personal data which is not overridden by your interests in data privacy and security.

3. Personal data we collect

- 3.1 We may collect and process the following personal data (information that can be uniquely identified with you) about you:
 - 3.1.1 log-in details and information provided when signing up our Services (“Log-In Information”);
 - 3.1.2 financial information (for instance regarding your mortgage or property) (“Financial Information”);
 - 3.1.3 ‘know your client’ documents and information which we may be obliged to collect (“Know Your Client Information”);

- 3.1.4 contact information we collect from you (for instance, your name, residential address, contact address and numbers, email address) and content provided to us by you through the use of our Services (“Contact Information”);
 - 3.1.5 payment information we may use to collect payment of our fees (“Payment Information”);
 - 3.1.6 a record of any correspondence or communication between you and us, including in relation to the number of viewings you arrange, the number of offers made or received (as applicable), the number of offers you are involved in which lead to a purchase or sale (as applicable), or relating to any complaint, survey or questionnaire submitted to us (“Communication Information”);
 - 3.1.7 technical information about how you have used or interacted with our Site (“Technical Information”).
- 3.2 We will collect information either from you directly or from a third party. If we do obtain your personal data from a third party your privacy rights under this Notice are not affected and you are still able to exercise the rights contained within this notice.
- 3.3 You do not have to supply any personal information to us but our Services may not be operable in practice without providing data to us. You may withdraw your authority to process your personal data (or request that we restrict our processing – see clause 9) at any time (but we may be unable to provide our Services to you if you do so).

4. How we process your personal data

- 4.1 Please see the table below, which sets out the manner in which we will process the different types of personal data we hold:

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
When you engage us to provide services.	Log-in Information Contact Information Know Your Client Information Payment Information	Performance of a contract with you. Necessary for our legitimate interests (to establish necessary information about you in order to provide our services).
When we provide information, products and services to you.	Log-in Information Contact Information Financial Information	Performance of a contract with you. Necessary for our legitimate interests (for running our business and to provide you with our services).

<p>When we carry out and administer any obligations arising from any agreements entered into between you and us.</p>	<p>Log-in Information Contact Information Financial Information Payment Information</p>	<p>Performance of a contract with you. Necessary for our legitimate interests (for running our business and to provide you with our services).</p>
<p>To manage our relationship with you which will include:</p> <p>(a) notifying you about changes to our Terms of Use or Privacy Notice;</p> <p>(b) when you submit a complaint or observation;</p> <p>(c) providing you with customer support;</p> <p>(d) customising our services to your preferences;</p> <p>(e) making general improvements to our services.</p>	<p>Log-in Information Contact Information Communication Information Technical information</p>	<p>Performance of a contract with you. Necessary to comply with a legal obligation. Necessary for our legitimate interests (to keep our records updated and to study how customers use our services).</p>
<p>When we contact you to provide you with updates (such as property updates).</p>	<p>Log-In Information Contact Information Communication Information</p>	<p>Performance of a contract with you. Necessary for our legitimate interests (for running our business and to provide you with services).</p>
<p>When we collect payment from you.</p>	<p>Contact Information Payment Information</p>	<p>Performance of a contract with you. Necessary for our legitimate interests (for running our business and to provide you with services).</p>
<p>To administer and protect our business, including troubleshooting, data analysis, research, testing, system</p>	<p>Contact Information Log-In Information Financial Information Technical Information</p>	<p>Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a</p>

maintenance, support, reporting and hosting of data.		business reorganisation) Necessary to comply with a legal obligation
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4.2 We may also use aggregated, anonymised data which includes personal data you have supplied to sell advertising space on the Site or market services to other users.

5. Cookies

5.1 A cookie is a piece of data stored locally on your computer and contains information about your activities on the Internet. The information in a cookie does not contain any personally identifiable information you submit to our Site.

5.2 On our Site we use cookies to track users' progress, allowing us to make improvements based on usage data. We also use cookies if you log in to one of our online services to enable you to remain logged in to that service. A cookie helps you get the best out of our Services and helps us to provide you with a more customised service.

5.3 Once you close your browser, our access to the cookie terminates. You have the ability 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. To change your browse settings you should go to your advanced preferences.

5.4 We are required to obtain your consent to use cookies. If you continue to use the Site, having seen this notice, then we assume you are happy for us to use cookies.

5.5 If you choose not to accept the cookies, this will not affect your access to the majority of information available on our Site. However, you will not be able to make full use of our online services.

5.6 An Internet Protocol (IP) address is a number assigned to your computer by your Internet Service Provider (ISP), so you can access the Internet. We may use your IP address to diagnose problems with our server, report aggregate information, and determine the fastest route for your computer to use in connecting to our Site, and to administer and improve the Site.

6. Data Retention

6.1 Our current data retention policy is to delete or destroy (to the extent we are able to) the personal data we hold about you in accordance with the following:

<i>Category of personal data</i>	<i>Length of retention</i>
Records relevant for tax purposes	8 years from the end of the tax year to which the records relate
Personal data processed in relation to a contract between you and us	7 years from either the end of the contract or the date you last used our services, being the length of time following a breach of

	contract in which you are entitled to make a legal claim
Personal data held on marketing or business development records	3 years from the last date on which you interacted with us

6.2 For any category of personal data not specifically defined in this Notice, and unless otherwise specified by applicable law, the required retention period for any personal data will be deemed to be 7 years from the date of receipt by us of that data.

6.3 The retention periods stated in this Notice can be prolonged or shortened as may be required (for example, in the event that legal proceedings apply to the data or if there is an on-going investigation into the data).

6.4 We review the personal data (and the categories of personal data) we are holding on a regular basis to ensure the data we are holding is still relevant to our business and is accurate. If we discover that certain data we are holding is no longer necessary or accurate, we will take reasonable steps to correct or delete this data as may be required.

6.5 If you wish to request that data we hold about you is amended or deleted, please refer to clause 9 below, which explains your privacy rights.

7. Sharing your information

7.1 We do not disclose any information you provide to any third parties other than as follows:

7.1.1 if we are under a duty to disclose or share your personal data in order to comply with any legal obligation (for example, if required to do so by a court order or for the purposes of prevention of fraud or other crime);

7.1.2 in order to enforce any terms and conditions or agreements for our Services that may apply;

7.1.3 we may transfer your personal information to a third party as part of a sale of some or all of our business and assets to any third party or as part of any business restructuring or reorganisation, but we will take steps with the aim of ensuring that your privacy rights continue to be protected;

7.1.4 to protect our rights, property and safety, or the rights, property and safety of our users or any other third parties. This includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction.

7.2 Other than as set out above, we shall not disclose any of your personal information unless you give us permission to do so. If we do supply your personal information to a third party we will take steps to ensure that your privacy rights are protected and that the third party complies with the terms of this notice.

8. Security

- 8.1 We will take all reasonable steps to ensure that appropriate technical and organisational measures are carried out in order to safeguard the information we collect from you and protect against unlawful access and accidental loss or damage. These measures may include (as necessary):
- 8.1.1 protecting our servers by both hardware and software firewalls;
 - 8.1.2 locating our data processing storage facilities in secure locations;
 - 8.1.3 encrypting all data stored on our server with an industry standard encryption method that encrypts the data between your computer and our server so that in the event of your network being insecure no data is passed in a format that could easily be deciphered;
 - 8.1.4 when necessary, disposing of or deleting your data so it is done so securely;
 - 8.1.5 regularly backing up and encrypting all data we hold.
- 8.2 We will ensure that our employees are aware of their privacy and data security obligations. We will take reasonable steps to ensure that the employees of third parties working on our behalf are aware of their privacy and data security obligations.
- 8.3 This Notice and our procedures for handling personal data will be reviewed as necessary.
- 8.4 Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your data transmitted to the Site; any transmission is at your own risk. Once we have received your information, we will use the strict procedures and security features referred to in this clause to try to prevent unauthorised access.

9. Your privacy rights

- 9.1 The GDPR gives you the following rights in respect of personal data we hold about you:

<i>The right to be informed</i>	You have a right to know about our personal data protection and data processing activities, details of which are contained in this Notice.
<i>The right of access</i>	You can make what is known as a Subject Access Request (“SAR”) to request information about the personal data we hold about you (free of charge, save for reasonable expenses for repeat requests). If you wish to make a SAR please contact us as described below.
<i>The right to correction</i>	Please inform us if information we hold about you is incomplete or inaccurate in any way and we will update our records as soon as possible, but in any event within one month.

	<p>We will take reasonable steps to communicate the change to any third parties to whom we have passed the same information.</p>
<p><i>The right to erasure (the 'right to be forgotten')</i></p>	<p>Please notify us if you no longer wish us to hold personal data about you (although in practice it is not possible to provide our Services without holding your personal data). Unless we have reasonable grounds to refuse the erasure, on receipt of such a request we will securely delete the personal data in question within one month. The data may continue to exist in certain backup, but we will take steps to ensure that it will not be accessible.</p> <p>We will communicate the erasure to any third parties to whom we have passed the same information.</p>
<p><i>The right to restrict processing</i></p>	<p>You can request that we no longer process your personal data in certain ways, whilst not requiring us to delete the same data.</p>
<p><i>The right to data portability</i></p>	<p>You have right to receive copies of personal data we hold about you in a commonly used and easily storable format (please let us know a format which suits you). You may also request that we transfer your personal data directly to third party (where technically possible).</p>
<p><i>The right to object</i></p>	<p>Unless we have overriding legitimate grounds for such processing, you may object to us using your personal data if you feel your fundamental rights and freedoms are impacted. You may also object if we use your personal data for direct marketing purposes (including profiling) or for research or statistical purposes. Please notify your objection to us and we will gladly cease such processing, unless we have overriding legitimate grounds.</p>
<p><i>Rights with respect to automated decision-making and profiling</i></p>	<p>You have a right not to be subject to automated decision-making (including profiling) when those decisions have a legal (or similarly significant effect) on you. You are not entitled to this right when the automated processing is necessary for us to perform our obligations under a contract with you, it is permitted by law, or if you have given your explicit consent.</p>
<p><i>Right to withdraw consent</i></p>	<p>If we are relying on your consent as the basis on which we are processing your personal data, you have the right to withdraw your consent at any time. Even if you have not expressly given your consent to our processing, you also have the right to object (see above).</p>

9.2 All SARs and other requests or notifications in respect of your above rights must be sent to us in writing to enquiries@cbwilliamsproperty.com.

9.3 We will endeavour to comply with such requests as soon as possible but in any event we will comply within one month of receipt (unless a longer period of time to respond is reasonable by virtue of the complexity or number of your requests).

10. Data Breaches

10.1 If personal data we hold about you is subject to a breach or unauthorised disclosure or access, we will report this to the Information Commissioner's Office (ICO).

10.2 If a breach is likely to result in a risk to your data rights and freedoms, we will notify you as soon as possible.

11. Other websites

11.1 Our Site may contain links and references to other websites. Please be aware that this Notice does not apply to those websites.

11.2 We cannot be responsible for the privacy policies and practices of websites that are not operated by us, even if you access them via the Site or any other service that is operated by us. We recommend that you check the policy of each website you visit and contact its owner or operator if you have any concerns or questions.

11.3 In addition, if you came to us via a third party website, we cannot be responsible for the privacy policies and practices of the owners or operators of that third party website and recommend that you check the policy of that third party website and contact its owner or operator if you have any concerns or questions.

12. Transferring your information outside Europe

12.1 As part of the Services offered to you the information you provide to us may be transferred to, processed and stored at, countries or international organisations outside of the EEA.

12.2 If we transfer your information outside of the EEA, and the third country or international organisation in question has not been deemed by the EU Commission to have adequate data protection laws, we will provide appropriate safeguards and we will be responsible for ensuring your privacy rights continue to be protected as outlined in this Notice. In particular we will ensure that there is a contract in place with our partners to ensure that your data is processed in accordance with this Notice.

12.3 If you use our Services while you are outside the EEA, your information may be transferred outside the EEA in order to provide you with those Services.

12.4 By submitting your personal information to us you agree to the transfer, storing or processing of your information outside the EEA in the manner described above.

13. Notification of changes to the contents of this Notice

We will post details of any changes to our policy on the Site, to help ensure you are always aware of the information we collect, how we use it, and in what circumstances, if any, we share it with other parties.

14. Policy towards children

Our Services are not intended for and should not be accessed by individuals under 16. Our policy is not to intentionally or knowingly collect, process, maintain or use personal information from any individual under the age of 16.

15. Contact us

If at any time you would like to contact us with your views about our privacy practices, or with any enquiry or complaint relating to your personal information or how it is handled, you can do so via the following email address: enquiries@cbwilliamsproperty.com.

If we are unable to resolve any issues you may have or you would like to make a further complaint, you can contact the Information Commissioner's Office by visiting <http://www.ico.org.uk/> for further assistance.