

## **Commitment**

Property@kemp & Co is committed to ensuring your privacy is protected and our use of your personal information is governed by this policy notice. Within this policy, "Property@Kemp& Co", "our" and "We" each mean all the UK companies and trading names of Property@Kemp & CO which collect and use your information in the manner set out in this Privacy Notice. Any reference to "you" or "your" refers to anyone whose personal information we process.

Property@Kemp & Co tries to meet the highest standards when collecting and using personal information. For this reason, we take any complaints we receive about this very seriously. We encourage people to bring it to our attention if they think that our collection or use of information is unfair, misleading, or inappropriate. We would also welcome any suggestions for improving our procedures.

This Privacy Policy is drafted with brevity and clarity in mind. It does not provide exhaustive detail of all aspects of Property@Kemp & Co's collection and use of personal information. However, we are happy to provide any additional information or explanation needed.

If you want to make a complaint about the way we have processed your personal information or require any additional information or explanation relating to contents of this Privacy Policy, you can contact us via the details provided at the end of this Policy.

## **GDPR**

This legislation replaces current data privacy law, effective from the 25 May 2018 and gives more rights to you as an individual and more obligations to organisations holding your personal data.

One of the rights is a right to be informed, which means we have to give you even more information than we do now about the way in which we use, share and store your personal information.

This means that we have published a new Privacy Policy so you can access this information, along with information about the increased rights you have in relation to the information we hold on you and the legal basis on which we are using it.

## **What Personal Information Do We Collect?**

Information will generally be collected directly via the use of any of our standard forms, over the internet, via email, in our branches or through a telephone conversation with you. We may also collect personal information through our affiliates or suppliers.

**If you are selling or letting a residential property through us**, we will typically collect the following information:

First name

Middle Name

Surname

Contact address

Home telephone number

Work telephone number

Business telephone number

Email address

Existing prospective purchasers

Residential status

Primary ID

Address ID

Solicitors details

Estate agent/managing agent details

Lease details

Accountant details

Bank details

Contact details will be used to get in touch with you about organising viewings and updating you on any offers received or rental applications for your property, or fulfilling our contractual obligations as covered in our Terms of Engagement.

Where you are not the legal owner of the property, we will request details from you as to your ability to sell or let the property, such as a Power of Attorney, Guardianship Order or Grant of Probate.

We will collect your bank account details to arrange onward payment of rent due to you.

**If you wish to buy or rent a residential property we are listing**, we will typically collect the following information:

First name

Middle Name

Surname

Next of Kin

Maiden names

Marital status

Contact address

Home telephone number

Work telephone number

Business telephone number

Email address

Residential status

Current and previous landlord details

NI number

Dependents name

Dependents DOB

Primary ID

Address ID

Bank statements

Proof of deposit

Proof of funding

Mortgage offer

Employment status

Employers details

Gender

Solicitors details

Current estate agent/managing agent details

Marital status

Salary

Pension details

Details of savings

Accountant details

Nationality

Passport number

Credit Card/Debit Card details

Bank details

Specific access requirements so that we can find a property that is suitable for your needs.

**If you are a tenant renting under the 'Right to Rent' scheme**, we will collect details of your Biometric residence card, your immigration status document and/or your birth certificate to carry out our required checks under this scheme.

In order to process an application to rent a property, we will provide details to third parties to undertake necessary credit and personal referencing.

If you wish to purchase a property we are listing for sale where you have specifically provided us with these, we will collect personal information relating to any specific access requirements you may have in relation to a property so that we can find a property that is suitable for your needs. We will also collect personal information required to source a property for you and, where required, negotiate the purchase of a property on your behalf.

### **How we use your information**

This privacy notice tells you what to expect when Property@Kemp & Co collects personal information. Under the GDPR we are only permitted to use your information if we have a legal basis for doing so. We rely on the following legal basis to use your information:

Visitors to our websites;

For employment-related purposes;

Where we need information to perform the contract we have entered into with you;

Where we need to comply with a legal obligation;

Where the processing is necessary for us to carry out activities for which it is in Property@Kemp & Co's legitimate interests (or those of a third party) to do so and provided that your interests and fundamental rights do not override those interests, including:

- Processing that is necessary for us to promote our business, brands and products and measure the reach and effectiveness of our campaigns – this will include sending you marketing information from time to time after you have engaged us to provide services or received services from us either which may be similar and of interest to you, or where you have expressly indicated that you would like to receive such information. You have the right to opt out of receiving this information at any time.
- Processing that is necessary to improve our knowledge of the business sectors in which Property@Kemp & Co-operate – this will include undertaking market analysis and research so that we better understand trends in the property sector and provide better knowledge along with more tailored and relevant services for our customers in the future.
- Processing necessary for us to operate the administrative and technical aspects of our business efficiently and effectively – this will include: verifying the accuracy of information that we hold about you and create a better understanding of you as a customer; processing for administrative efficiency purposes such as where we outsource certain administrative functions to third parties who specialise in such services; processing for network and information security purposes (i.e. in order for us to take steps to protect your information against loss, damage, theft or unauthorised access), or to comply with a request from you in connection with the exercise of any of your rights outlined below.

Complainants and other individuals in relation to a data protection or freedom of information complaint or enquiry.

People who use our services (i.e.who subscribe to our mailing lists or request a publication from us);

People who notify under the Data Protection Act; and

Job applicants and our current and former employees.

### **What happens if you do not provide information that we request?**

We need some of your personal information to perform the services you have requested from us, for example:

- Where we are selling a property on your behalf, we need to know your contact information so that we can update you with information on viewings, offers and the progress of the sale;
- Where you have asked us to find you a property which meets certain access requirements, we may need to know some further details about your particular circumstances so that we can find you a suitable property.

We also need some information so that we can comply with our legal obligations. For example, we may need identity documents from you to meet our obligations to prevent fraud and money laundering.

If you do not provide the information required for these purposes, we will not be able to perform our contract with you and may not be able to provide services to you or continue to provide certain services to you. We will explain when this is the case at the point where we collect information from you.

### **Visitors to our websites**

When someone visits our website [www.propertyatkemp.co.uk](http://www.propertyatkemp.co.uk) (we use a third-party service, Google Analytics, to collect standard internet log information and details of visitor behaviour patterns. We do this to find out things such as the number of visitors to the various parts of the site. This information is only processed in a way which does not identify anyone. We do not make, and do not allow Google to make, any attempt to find out the identities of those visiting our website. If we do want to collect personally identifiable information through our website, we will be up front about this. We will make it clear when we collect personal information and will explain what we intend to do with it.

### **The use of cookies by Property@Kemp & Co**

Cookies are small parcels of data stored temporarily on your hard drive while you are browsing a website. These are a standard mechanism used by most websites. By continuing to use our websites with cookies enabled, you consent to our use of cookies.

Our websites employ cookies only to provide us with general information about how our website is used. However, no personal information that would enable us to identify individuals is either obtained or stored in these cookies.

Cookies are often used to track a user's browsing history for the purpose of targeted advertising. This website does not set any cookies of this type.

We use a third-party service provided by Google Analytics to provide us with further general information about the performance of our websites. The data collected by Google is aggregated to

show general trends and does not identify individual users. From time to time, we may also use other third-party services such as Facebook, Twitter and other social media, the presence of which will be readily apparent from their on-screen icons. In each case, any cookies set by the providers of these services are set by them directly. They are not set by our websites and we have no control over them. Please refer to these services' own privacy policies if you wish to check how they use cookies.

Should you wish to disable cookies, please refer to your browser's Help function. Please note, however, that many websites will not run correctly with cookies disabled, especially ones that require you to log in or that offer any form of checkout or booking process, as cookies are usually needed to keep track of individual transactions.

### **For how long do we keep your personal information**

The period for which we will keep your personal information will depend on the type of service you have requested from us. The retention period may be longer than the period for which we are providing services to you where we have statutory or regulatory obligations to retain personal information for a longer period, or where we may need to retain the information in case of a legal claim.

### **Marketing Data**

We may purchase industry specific or geographic B2B marketing data from recognised third parties to add to our segmented subscriber database to allow us to provide access to opportunities we are instructed over which we feel may be of interest. All electronic mailings are undertaken using market leading email marketing software with mandated opt-out options. All unsubscribed addresses are precluded from future re-entry other than by opt-in subscription.

### **Security and performance**

Property@Kemp & Co uses a third-party service to help maintain the security and performance of our websites. To deliver this service it processes the IP addresses of visitors to our websites.

### **People who contact us by telephone**

When you call Walker Singleton, we collect Calling Line Identification (CLI) information. We use this information to help improve efficiency and effectiveness. Incoming calls made through third party providers, including, but not limited to [WWW.RIGHTMOVE.CO.UK](http://WWW.RIGHTMOVE.CO.UK) and [WWW.ONTHEMARKET.CO.UK](http://WWW.ONTHEMARKET.CO.UK), will be recorded for training and monitoring purposes. For more information, please refer to the relevant websites individual Privacy Notices.

### **People who email us**

We use Transport Layer Security (TLS) to encrypt and protect email traffic. If your email service does not support TLS, you should be aware that any emails we send or receive may not be protected in transit.

We will also monitor any emails sent to us, including file attachments, for viruses or malicious software. Please be aware that you have a responsibility to ensure that any email you send is within the bounds of the law.

### **People who make a complaint to us**

When we receive a complaint from a person we make up a file containing the details of the complaint. This normally contains the identity of the complainant and any other individuals involved in the complaint.

We will only use the personal information we collect to process the complaint and to check on the level of service we provide

We usually have to disclose the complainant's identity to whoever the complaint is about. This is inevitable where, for example, the accuracy of a person's record is in dispute. If a complainant doesn't want information identifying him or her to be disclosed, we will try to respect that. However, it may not be possible to handle a complaint on an anonymous basis.

We will keep personal information contained in complaint files in line with our retention policy. This means that information relating to a complaint will be retained for six years from closure. It will be retained in a secure environment and access to it will be restricted according to the 'need to know' principle.

Similarly, where enquiries are submitted to us we will only use the information supplied to us to deal with the enquiry and any subsequent issues and to check on the level of service we provide.

### **People who use Property@Kemp & Co services**

Property@Kemp & Co offers numerous services to the public. We use a third party to deal with some publication requests, but they are only allowed to use the information to send out the publications. We have to hold the details of the people who have requested the service in order to provide it. However, we only use these details to provide the service the person has requested and for other closely related purposes. For example, we might use information about people who have requested a publication to carry out a survey to find out if they are happy with the level of service they received. When people do subscribe to our services, they can cancel their subscription at any time and are given a straightforward way of doing this.

### **Other uses of your personal information**

If we sell any part of our business and/or integrate it with another organisation, your details may be disclosed to our advisers and to prospective purchasers or joint venture partners and their advisers. If this occurs, the new owners of the business will only be permitted to use your information in the same or similar way as set out in this Privacy Policy.

We will share personal information with our regulators, governmental or quasi-governmental organisations, law enforcement authorities and with courts, tribunals and arbitrators as may be required from time to time in order to comply with our regulatory and legal obligation.

We use third party services providers who process personal information on our behalf in order to provide services to us. This includes IT systems providers and IT contractors as well as third party referencing or screening agencies for the purposes of the prevention and detection of crime.

We may share your personal information with any person working within Property@Kemp & Co on a need to know basis to ensure we are able to perform our obligations to you.

We will hold your personal information on our client management systems and use this to provide you with marketing information about similar services offered by Property@Kemp & Co to those which you have engaged us to provide which we feel you might find useful from time to time. You have the opportunity to opt out of receiving this information at any time.

### **Job applicants, current and former Property@Kemp & Co employees**

Property@Kemp & Co is the data controller for the information you provide during the recruitment process and period of employment unless otherwise stated. If you have any queries about the process or how we handle your information, please contact us at [sales@propertyatkemp.co.uk](mailto:sales@propertyatkemp.co.uk)

### **Your rights**

You can read more about these rights at [HTTPS://ICO.ORG.UK/FOR-THE-PUBLIC/IS-MY-  
INFORMATION-BEING-HANDLED-CORRECTLY/](https://ico.org.uk/for-the-public/is-my-information-being-handled-correctly/).

### **Anti-Money Laundering**

To help you with a property related service, we must comply with certain regulations for example the “Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 (referred to as “the Regulations).” Property@Kemp & Co is required to obtain certain information from you to comply with these regulations. The information provided will only be used by Property@Kemp & Co in relation to comply with the Regulations and will not be shared with any other party outside of the companies wholly owned by Property@Kemp & Co unless we are required to do so under law.

If you decide to enter in to a business relationship with Property@Kemp & Co or any wholly owned subsidiary, to comply with certain regulations. We will require two separate identification documents, one primary and one secondary document, even if it appears on both lists. The information may be required at various stages of the process depending whether you are purchasing or selling:

#### **Primary documents – proof of ID**

- Valid Passport with MRZ



- Valid full UK photo driving licence
- Valid full UK Driving licence (non-photo, paper) issued before 1998
- Valid EU/EEA/Switzerland photo driving licence
- Valid EU/EEA/Switzerland national Identity Card
- Valid UK Armed Forces ID Card
- Valid UK Biometric Residence Permit (copy of both sides)
- Valid Blue disabled drivers pass (with photo)
- Valid Freedom Pass
- Valid Local Authority Bus pass
- Department for Works & Pensions letter confirming pension details including National Insurance Number dated within the last 12 months

### **Secondary documents – proof of residence (home.)**

- Valid full UK photo driving licence
- Valid full UK Driving licence (Non-photo, paper) issued before 1998
- Local authority council tax bill (dated within the last 12 months)
- UK Bank / Building societies statements/bills showing activity, dated within the last 6 months including account number and sort code (internet printed acceptable)
- UK mortgage statement dated within the last 12 months (internet printed acceptable)
- Utility bill dated within the last 6 months including – electricity bill (with MPAN number), landline, gas, satellite TV, water (internet printed acceptable) (not mobile phone bills)
- Her Majesty's Revenue and Customs (HMRC) Inland Revenue (IR) Coding / assessment / statement (dated within the last 12 months) with National Insurance number
- Department for Works & Pensions letter confirming pension details and National Insurance Number (dated within the last 12 months)

### **Your rights in relation to your personal information**

You have a number of rights in relation to your personal information, these include the right to:

Be informed about how we use your personal information;

Obtain access to your personal information that we hold;

Request that your personal information is corrected if you believe it is incorrect, incomplete or inaccurate;

Request that we erase your personal information in the following circumstances:

- If Property@Kemp & CO is continuing to process personal information beyond the period when it is necessary to do so for the purpose for which it was originally collected;
- If Property@Kemp & Co is relying on consent as the legal basis for processing and you withdraw consent:
- If Property@Kemp & Co is relying on legitimate interests as the legal basis for processing and you object to this processing and there is no overriding compelling ground which enables us to continue with the processing;
- If the personal information has been processed unlawfully (i.e. in breach of the requirements of the data protection legislation);
- If it is necessary to delete the personal information to comply with a legal obligation.

Ask us to restrict our data processing activities where you consider that:

Personal information is inaccurate;

- Our processing of your personal information is unlawful;
- Where we no longer need the personal information, but you require us to keep it to enable you to establish, exercise or defend a legal claim;
- Where you have raised an objection to our use of your personal information.

Request a copy of certain personal information that you have provided to us in a commonly used electronic format. This right relates to personal information that you have provided to us that we need in order to perform our agreement with you and personal information where we are relying on consent to process your personal information.

Object to our processing of your personal information where we are relying on legitimate interests or exercise of a public interest task to make the processing lawful. If you raise an objection we will carry out an assessment to determine whether we have an overriding legitimate ground which entitles us to continue to process your personal information.

Not be subject to wholly automated decisions which produce legal effects, or which could have a similarly significant effect on you.

**You can also get further information on:**

Agreements we have with other organisations for sharing information;

Circumstances where we can pass on personal data without consent (i.e. to prevent and detect crime and to produce anonymised statistics);

Our instructions to staff on how to collect, use and delete personal data; and

How we check that the information we hold is accurate and up to date.

**Links to other websites**

This privacy notice does not cover the links within this site linking to other websites. We encourage you to read the privacy statements on the other websites you visit.

### **Changes to this privacy notice**

We keep our Privacy Policy under regular review, this Privacy Policy having last been updated on 20<sup>th</sup> December 2022.

### **How to contact us**

If you want to request information about our Privacy Policy, you can email us or write to:

Property@Kemp & Co

350 Skircoat Green Road

Skircoat Green

Halifax

West Yorkshire

HX3 0RR

[sales@propertyatkemp.co.uk](mailto:sales@propertyatkemp.co.uk)

01422 349222