

## Privacy Policy and Notice – March 2021

### Privacy Policy and Notice – COVID-19

This privacy notice is an addendum to the Wilkinson Grant & Co Limited (WG) main privacy policy statement and notices, and it explains how WG may use your personal data, specifically in relation to the COVID-19 (Coronavirus) pandemic.

The Information Commissioner's Office has published guidance on data handling during the pandemic.

In this current crisis, we may need to ask you for sensitive personal information that you have not already supplied, including your age or if you have any underlying illnesses or are vulnerable, and we may ask you to complete a 'Coronavirus - Health Assessment' declaration form. Some of your personal data is classed as 'special personal data' because this information is more sensitive for example health information, ethnicity and religion and so on. The Government may require us to share this information as part of their future 'track and trace' policy, without further reference to you. WG will only share information that is necessary for the intended purpose – for example, to contain the spread of COVID-19, organisations may need to conduct contact tracing and inform some of its staff to self-isolate because of close contact with a suspected/confirmed case.

We will only retain this information for a period of 28-days from the date of the appointment undertaken at the property, unless required by law to hold it for longer. We may ask you to complete the form more than once, for example if you re-visit the property or another property. We thank you for your understanding and co-operation in this endeavour to try to keep us all as safe as possible in the current circumstances. If you have any questions please do not hesitate to email us on [dataprotection@wilkinsongrant.co.uk](mailto:dataprotection@wilkinsongrant.co.uk)

Our Privacy Policy and Notice is updated from time to time. Please may we suggest you check our website regularly to ensure that you are up-to-date with how we deal with the personal information you have provided to us.

Please read the following information carefully. This Privacy Policy and Notice contains information about what data we collect and store about you and why. It also tells you who we share this information with, the security mechanisms we have put in place to protect your data and how to contact us if you have a complaint. We will not share your personal information with any other third parties without your consent, other than as confirmed in this Privacy Policy/Notice.

### **Who we are:**

Wilkinson Grant & Co. Limited (WG) are a company with two offices located in Exeter and Topsham. WG are primarily involved in the sale, auction, letting and acquisition of property and land in the South West of England.

### **Data Controller:**

Wilkinson Grant & Co. Limited, Old City Library, Castle Steet, Exeter EX4 3PT  
(a company registered in England & Wales with registration number 03082979).  
Email: [exeter@wilkinsongrant.co.uk](mailto:exeter@wilkinsongrant.co.uk) Tel: 01392 427500

Wilkinson Grant & Co. Limited (WG) collects, uses and is responsible for personal information about you. When we do this we are the 'controller' of this information for the purposes of the General Data Protection Regulation and other applicable data protection laws.

### **Our Data Protection Officer is:**

Roger Wilkinson Email: [dataprotection@wilkinsongrant.co.uk](mailto:dataprotection@wilkinsongrant.co.uk) Tel: 01392 427500.

### **What we do with your information, collected by us;**

When carrying out business activities in relation to the valuation, sale, auction, acquisition/purchase, letting, or arranging a tenancy, of property and/or land we collect the following personal information that you will need to provide to us:

- Your full legal name
- Your telephone contact numbers
- Your home address and the property address(if different)
- In the case of a Company your registered office address and the address we should contact you at on a daily basis (if different)
- Your email address
- Proof of identity documentation to comply with the current Money Laundering Regulations. Usually we need to take our own copies of your passport and photo driving licence, and we will often ask to take copies of recent bank statements and council tax/utility bills.
- When arranging to rent a property through us, we will often provide a Landlord with details of your salary, employment information, references, any children and/or pets who intent to occupying the property.
- Data collected in relation to our Cookies Policy – please see this for further details.

The information that we hold may be supplied by you to us, by calling into one of our offices, email, telephone, our website or via a third party.

### **Information collected from other sources:**

In order to identify the legal owners of properties and land that we market, and properties we let, we obtain from the Land Registry office copy entries to verify the legal names of the legal owners. This information is already a matter of public record.

When we take instructions from a Company to sell, buy, or let a property/land we will usually cross check information provided to us with what is available on the Companies House database. Again, this is a matter of public record.

Property portals such as: Rightmove, Zoopla, OnTheMarket, Primelocation, The Guild of Professional Estate Agents, Nethouseprices, recommendedagents.co.uk, and getanagent.co.uk send us your personal data when you have requested them to do so.

### **How we use your personal information:**

We primarily use your personal information in order to provide a service to you, and for the following purposes:

When carrying out business activities in relation to the valuation, sale, acquisition, auction, letting, or arranging a tenancy for property and/or land we collect the following personal information that you provide to us:

- Your property address when arranging a valuation/market appraisal
- Your email address to send you our Privacy Policy/Notice, our Agency Agreement and Terms of Business (when you are selling/letting) and property details (when you are buying/renting) and general correspondence that occurs within the nature of our business.
- Your communications with us, including a record of the emails and telephone correspondence created between us both.
- Together with any questions, queries, feedback, etc., you raise or leave with us, we will likely liaise with sellers/buyers and/or third parties,
- 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, Grant of Probate or Guardianship Order.
- As a Seller/Vendor when you accept an offer on your property we pass your name and address and the property address (if different) to both your lawyer and to the buyers lawyer.
- As a Buyer when you have made an offer on a property which is accepted by the seller/vendor we pass your name and your contact address to both your lawyer and the sellers lawyer.
- To help ensure your transaction proceeds as smoothly as possible we also pass your name and the property address which you are selling/buying to other lawyers in the chain. We never pass them your email address or telephone numbers or copies of your proof of identity documentation.

- In the case of a 'new build' property we will pass all your personal contact details to the Developer, usually detailing these on the Developer's Reservation Form, which you will sign and receive a copy of.
- In the case of a sale or purchase by Auction we will disclose your personal information to our nominated Auctioneer – Auctionhouse Devon & Cornwall Ltd.
- As a Landlord or Tenant we will disclose in full the Assured Shorthold Tenancy Agreement (AST) to both parties.
- Landlord and Tenant contact details will be passed to the Deposit Protection Scheme (DPS).
- When we do not manage a tenanted property, or are instructed on a 'Tenant Find' only basis we will pass the relevant contact details between Landlord and Tenant, we will disclose Landlord's bank account details to the approved Tenant(s) in order for them to transfer rent.
- 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.
- Guarantor and permitted occupiers contact details will automatically be passed to a Landlord.
- We may offer to introduce you to a Mortgage Broker for 'free advice with no obligation', but we will always seek your consent first to pass your contract details to the broker.

### **Whether information has to be provided by you, and why:**

The 'official' name for the current UK money laundering regulations is: Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017, The Money Laundering and Terrorist Financing (Amendment) Regulations 2019 and The Money Laundering and Terrorist Financing (Amendment) (EU Exit) Regulations 2020.

In order to comply with the current money laundering regulations, we are obliged to obtain from you and also verify, copies of your photo identification, such as a valid passport or a valid photo driving licence, together with proof of address documentation, such as a recent bank statement or utility bill. We may ask for your National Insurance number. If you are a non-British passport holder we may ask for further information including sight of a UK Biometric Residency Permit (BRP). We will ask to see original documents, make our own copy, which we will then certify as a true copy of the original and which we will store electronically. For security reasons we arrange to securely destroy paper copy documents that we have made. In the case of a purchase under the regulations we are usually required to see 'proof of funds' and 'source of funds' and if we take a copy of documentary evidence again we will store this electronically and then securely destroy the paper copy.

This proof of identity personal information must be provided by you to us, to enable us to comply with law, and we will inform you whether you are required to provide this information to us. When selling a property this will be at an early stage, and well before the property being launched to the market. When buying a property we must have your proof of identity documentation and proof of the source of your funds before we can issue a Sales Memorandum.

### **Our legal basis for processing and using of your personal information:**

The legal basis which relates to our use and other processing of your personal data under the applicable GDPR/Data Protection laws may include:

- Processing that is necessary for the performance of a contract: this includes such things as administering and managing your account, where you sign up online with WG, on the telephone or in person and the services relating to that;
- Processing that is necessary for our own 'legitimate interests' or those of our nominated third parties such as:
  - For management and audit of our business operations;
  - For market research and analysis, developing statistics; and
  - For our own direct marketing communications which we send to you about our own products and services, which we will send to you from time-to-time to 'keep in touch'.
- Processing that is necessary to comply with a legal obligation such as:
  - To process your request for personal data or when you seek to exercise your rights under GDPR/Data Protection or
  - For compliance with legal and regulatory requirements

- Processing that is based on your 'consent' – such as:
  - o When we collect your data for our direct marketing communications about products and services available from WG or from other nominated third parties.
  - o Where in very limited circumstances you provide us with special categories of data.

### **Who will we share your personal information with:**

We will also pass your details to the following organisations (our “data processors”) who carry out certain activities on our behalf as part of us providing our service to you:

- SmartSearch: As part of our Anti-Money Laundering Policy we will usually undertake electronic verification of your proof of identity documentation via SmartSearch, who hold a bank of data linked to Experian. Any checks made in this way do not affect your credit rating.
- Reapit Ltd: Our supplier of 'Computer Software & Services for Property Sales & Rentals', which is used to manage the property data and client information that we store.
- An outsourced switchboard service trading as Moneypenny, and owned by Callitech Limited, is used by WG as a message taking service. Those messages are sent direct to WG and not to a third party.
- Social Media: On occasion we will advertise properties For Sale, Sold, To Let, and Let on social media, such as Facebook, Instagram, etc..
- ActivePipe: Automated Marketing and Communication Software used for multiple marketing emails and Newsletters.
- Bluesoup Communications Limited: Marketing communications agency.
- Think-IT and ICT Professionals: Providers of IT, network security and communications support.
- In the event of a sale/purchase by Auction - Auctionhouse Devon & Cornwall Ltd, who act as our third party provider of this service.

We will also disclose your personal information to third parties:

- In the event that we sell or buy any business or assets, in which case we will disclose your personal data to the prospective seller or buyer of such business or assets.
- If our company or substantially all of our assets are acquired by a third party, in which case personal data held by us about our customers will be one of the transferred assets.
- As part of our Anti-Money Laundering Policy we will usually undertake electronic verification of your proof of identity documentation via SmartSearch, who hold a bank of data linked to Experian. Any checks made in this way do not affect your credit rating. We will never provide any third parties with your proof of identity documentation.
- We will not share your personal information with any other third parties without your consent, other than as confirmed in this Privacy Policy/Notice.

### **Sales and Auctions – Sellers and Buyers:**

Before a property is launched to the market an EPC and floorplan will be required and we will pass your contact and property details to our approved third party providers. During the course of any offer, negotiation, agreeing the sale of property or land, it is very likely that the buyer and/or their mortgage lender will need to gain access to your property to undertake a valuation and/or survey. We will provide them with the minimum of your details such as the full property address and the contact telephone number for you so that they can arrange a mutually convenient appointment. Buyers – during the course of any offer negotiation or when a sale is agreed we will pass both seller and buyer personal details to their respective solicitors. Full chain details of your name and address will be provided to other solicitors in the chain, and sometimes to other estate agents in the chain. Your 'phone numbers, emails addresses and proof of identity documents will never be passed to these contacts.

### **Lettings - Landlords and Tenants:**

Before a property is launched to the market an EPC and floorplan will be required and we will pass your contact and property details to our approved third party providers. We have relationships with a number of third party contractors that we will routinely share your name, address, telephone numbers and email address with. For a list of these third parties contractors please contact us. This data sharing enables us to facilitate repairs/maintenance/check-out/cleaning/etc., as efficiently as possible. We will never share your proof of identity documentation with these third parties.

Tenants Referencing: this is undertaken with Homelet (part of Barbon Insurance Group Limited), and tenant applicant's full contact details and date of birth will be provided. The Tenants provide their own

employment information to WG and as part of completing the application form direct to Homelet. Landlord and Letting Agent information where applicable will be passed to Homelet.

Tenants: Next of kin (if required) is stored in-house and not passed to third parties, except in case of absolute emergency.

Landlord: Insurance – we act as an Introducer only for Alan Boswell Group, discussing the generic need for insurance for such provisions as ‘Rent Guarantee’ and ‘Legal Protection’ purposes. Landlord and Tenant contact details will be passed to either the Deposit Protection Scheme (DPS) or to Zero Deposit.

Landlord and Tenant contact details will be passed to Fixflo: an online maintenance portal.

Tenants contact details will be passed to Just Move In also known as Home Setup Services: Utilities administrator dealing with setting up and closing of utility accounts, and council tax.

### Transfer of your information outside the European Union (EU) / European Economic Area (EEA):

We are not aware of any reason where it may be necessary to transfer your personal information outside the EU/EEA or to an international organization. Should a request for such information be sent to us by a law enforcement agency we would only ever do so at the insistence of the UK’s National Crime Agency.

### How long will we store your personal data:

You have the right to unsubscribe from receiving communications from us at any time, but this cannot affect the lawfulness of any processing activity we have carried out prior to you unsubscribing. You can opt-out by clicking the link to unsubscribe in the email footer or on our web site home page, or you can contact us at: [unsubscribe@wilkinsongrant.co.uk](mailto:unsubscribe@wilkinsongrant.co.uk) or by writing to: Data Protection Officer, Wilkinson Grant & Co. Limited, Old City Library, Castle Steet, Exeter EX4 3PT.

We will retain your personal data for different periods of time depending on the service you have chosen to use us for, and which may be for a longer period than that for which we need to hold your data to provide those services, i.e. where we are under a regulatory or statutory duty to hold your data for a longer period or need to retain it in the event of a legal claim or complaint.

In addition to this we will also store your data as follows:

**Sales:** When selling a property and you are the seller/vendor, the length of time we will retain your personal information:

|   |  |  |
|---|--|--|
| 2 years after the date the relationship has ended | When we value your property and you decide not to bring it to the market | When we value your property and launch it to the market but a sale is not effected     |
| 6 years after the date the relationship has ended | When we value your property and agree a sale which does not conclude     | When we value your property and agree a sale which does transact and exchange/complete |

**Sales:** When you are the buyer of a property we are selling, the length of time we will retain your personal information:

|   |  |  |
|---|--|--|
| 2 years after the date the relationship has ended | When you register as an applicant/buyer with us to view properties, and you do not make an offer or you make an offer which is not accepted: |  |
|---|--|--|

|   |  |  |
|---|--|--|
| 6 years after the date the relationship has ended | When you register as an applicant/buyer with us to view properties, and you make an offer which is accepted but the purchase does not exchange | When you register as an applicant/buyer with us to view properties, and you make an offer which is accepted and the purchase exchanges/completes |
|---|--|--|

**Lettings:** When letting a property and you are the owner, the length of time we will retain your personal information:

|   |   |   |   |
|---|---|---|---|
| 2 years after the date the relationship has ended | When we assess your property for rental purposes and you decide not to bring it to the market | When we value your property and launch it to the market but a tenancy is not effected | When we value your property and agree a tenancy which does not transact |
| 6 years after the date the relationship has ended | When we value your property and agree a tenancy which does transact and the property is let   |   |   |

**Lettings:** When you are the applicant/tenant of a property we are letting, the length of time we will retain your personal information:

|   |  |   |
|---|--|---|
| 2 years after the date the relationship has ended | When you view properties with us, and you do not make an offer to rent or you make an offer to rent which is not accepted. |   |
| 6 years after the date the relationship has ended | When viewed property with us and you make an offer to rent which is accepted but the tenancy does not conclude             | When viewed property with us and you make an offer to rent which is accepted and you agree the tenancy and move into the property |

## Your Rights:

Under the General Data Protection Regulation, you have a number of important rights that you can exercise free of charge. In summary, these rights are:

- Transparency over how we use your personal data and fair processing of your information;
- Access to your personal information and other supplementary information;
- Require us to correct any mistakes or complete missing information we hold on you;
- Require us to erase your personal information in certain circumstances;
- Receive a copy of the personal information you have provided to us or have this information be sent to a third party, this will be provided to you or the third party in a structured, commonly used and machine readable format;
- Object at any time to processing of your personal information for direct marketing;
- Object in certain other situations to the continued processing of your personal information;
- Restrict our processing of your personal information in certain circumstances;

If you want more information about your rights under the GDPR please see the Guidance from the Information Commissioners Office:

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

If you want to exercise any of these rights, please:

- Email, 'phone or write to our Data Protection Officer (see '**Get in touch**' below).
- Please be prepared to provide additional information so that we can identify you, and we are very likely to contact you to request further information to verify your identity. For security reasons we must be sure it is you who are requesting the right or rights that you wish to exercise.

We will respond to you within one month from when we receive your request. Please note if you wish to unsubscribe from any email you can do so by clicking the link to unsubscribe in the email footer or on our web site home page or by contacting us (see '**Get in touch**' below). It may take up to 5 working days for this to become effective.

### **How to make a complaint:**

We hope that you are happy with our service and that our Data Protection Officer can resolve any issues or complaints that arise. Please get in touch if you have any concerns (see '**Get in touch**' below).

The General Data Protection Regulation also gives you the right to lodge a complaint with a supervisory authority, in particular in the European Union (or European Economic Area) this will be in the country/state where you work, normally live or where the alleged infringement of data protection laws occurred. The UK supervisory authority is the Information Commissioner's Office who can be contacted at <https://ico.org.uk/concerns/>

### **Automated Decision Making**

We do not use Automated Decision Making in the course of our business.

### **Our Security**

The security of information is very important to us and we have measures in place which are designed to prevent unauthorized access to your personal information. These include, but are not limited to:

Electronic data files are stored in two ways – the first being on a UK “cloud” based secure client management system and the second being stored on a secure server in the South-West of England. Hard copy files are kept to a minimum and are stored in locked cabinets before being securely destroyed.

### **Future Processing**

We do not intend to process your personal information for any reason other than stated within this privacy notice. If this changes, we will inform you by email.

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

This Privacy Notice was published on 01 March 2019. We constantly review our internal privacy practices and this policy will be reviewed as a minimum, six-monthly and we may change this policy from time to time. When we do, we will inform you by email.

### **Cookies Policy**

You can find our Cookies Policy by clicking into [the link in the email footer](#), or on our [web site home page](#), or by contacting (see '**Get In Touch**').

### **Get in touch**

If you have any questions about this privacy notice or the information we hold about you, please contact our Data Protection Officer.

The best way to reach us is to email: [dataprotection@wilkinsongrant.co.uk](mailto:dataprotection@wilkinsongrant.co.uk) alternatively, please telephone 01392 427500, and ask to speak to Roger Wilkinson.

### **Alternative formats**

If it would be helpful to have this notice provided in another format (for example: in another language, audio, braille) please contact us (see '**Get in touch**' above).