

COTTONS PROPERTY CONSULTANTS LLP – PRIVACY POLICY

ABOUT COTTONS

Cottons is the trading name of Cottons Property Consultants LLP whose registered office is 361 Hagley Road, Edgbaston, Birmingham B17 8DL. The organisation is registered with the Information Commissioners Office (ICO) registration ref: Z4699202

Cottons are committed to ensure that your privacy is protected. This privacy policy explains how we use the information we collect about you, and how you can instruct us if you prefer to limit the use of that information, and the procedures that we have in place to safeguard your privacy.

Please note that this Privacy Policy may be updated from time to time, and therefore please check our website www.cottons.co.uk/contact/ for the latest version.

INFORMATION COVERED BY THIS POLICY

This privacy policy applies to the use and processing of personal data collected and used by Cottons, This information is collected both directly from you, via our website www.cottons.co.uk, and/or by other sources, such as for example the Land Registry.

Other links exist within our website and social media to other organisations or companies' websites which are not covered by this policy and consequently we encourage you to read the Privacy Policies of any third party websites when entering their domain(s).

INFORMATION SECURITY

Cottons are committed to protecting the privacy of our Clients, Customers, Suppliers and all individuals in relation to whom we may hold their personal data. We have implemented technical, administrative and physical procedures designed to protect personal data from loss, misuse or alteration.

The personal data we collect from you is only that which is required by us to provide you with the information, products and/or services you have requested, or to fulfil our obligations to our clients. When you submit your personal data to us as described below you will be deemed to consent to its use by us in the ways indicated below.

PERSONAL DATA - WHAT IS COLLECTED AND HOW?

We collect information directly from you when you contact us by telephone, letter, fax, email, or personal visit, and this data can include your full name, postal address, email address, telephone contact and social media details.

If you are a Client, Customer of, or Supplier to Cottons, we may also request further details from you, such as your date of birth, National Insurance number, bank payment information, VAT number etc.

We may in addition have a requirement to request copies of passports and other official documentation to fulfil Anti-Money Laundering regulations, or to obtain and carry out appropriate searches for the purposes of verification of your identity

We may also obtain information about you from other sources, including publicly available sources, such as the Land Registry, Electoral Register, Identity Verification websites, online telephone directories, social media platforms or referral agents.

PERSONAL DATA - WHY IS IT COLLECTED?

The data collected is required for several reasons including:

For data held in relation to individuals on our marketing lists.

- To provide newsletters or email circulars or information which we believe to be relevant and of interest to you;
- To advise you of properties that may be of interest, based on your location or information you have provided;
- To contact you to discuss the possibility of offering properties for sale, by auction or to let for you, or to discuss possible management or surveying services
- To contact you regarding website and product updates and enhancements.

For data held in relation to Clients, Customers or Suppliers of Cottons

- To allow us to contact you to provide the service requested,
- To carry out Anti Money Laundering procedures as may be necessary
- To perform our contractual obligations to Clients,

PERSONAL DATA HOW WILL IT BE USED?

We use your personal information as defined in the Data Protection Act 1998 ("Information") in accordance with all relevant data protection legislation including the Data Protection Act 1998. We will also ensure all our data protection procedures are fully compliant with the procedures set out in the EU General Data Protection Regulations (GDPR) which come into force on 25th May 2018.

By using our website, you accept the terms of this Data Protection Statement.

PERSONAL DATA -WHO WILL IT BE SHARED WITH?

We will not share your data with anyone for marketing purposes. However there are occasions when data must be shared with third parties such as:

- When we have received your instructions to pass the sale of your property to another agent, or when a property is being marketed on a joint agency basis
- Credit reference agencies, debt collection and tracing agencies.
- Suppliers/Contractors, to enable access or work to be undertaken to properties.
- Clients, where you, the Customer, has a contractual relationship with them
- Accountants, when acting on behalf of Clients, who will require such information for the compilation of accounts or similar.
- Clients or Customers, in order to allow Suppliers/Contractors to undertake their obligations
- Utility companies, and local authorities with regards to changes of ownership/occupation
- to protect, defend or exercise the rights and property of Cottons (including enforcing our Terms and Conditions).
- when required by law and/or government or regulatory authorities.
- To appropriate third party companies who assist us in delivering appropriate information (such as Mailchimp the e-newsletter distribution platform)

PERSONAL DATA - RETENTION PERIOD

With regard to our Clients, Customers and Suppliers data, we will retain data for a minimum of six years following the end of our contractual services.

For matters where we continue to manage a property or act for a Client, we will continue to hold Customer's data, for a minimum of six years beyond when that individual or organisation has vacated the property concerned,

In respect of Suppliers data, we will continue to hold for a minimum of six years following the completion of work undertaken, and for longer periods were a guarantee or warranty of a longer period is applicable.

The information we use for marketing purposes will be kept by us until you notify us that you no longer wish to receive this information.

PERSONAL DATA - WHAT WILL BE THE EFFECT OF THIS ON THE INDIVIDUALS CONCERNED?

When we hold your data for marketing purposes, Cottons will send you periodic updates by the contact methods that you have consented to, and otherwise may contact you to notify you of properties for sale based upon the criteria that you have indicated to us.

HOW CAN YOU ACCESS THE PERSONAL INFORMATION WE HOLD ABOUT YOU?

If you would like to see the data we hold about you, you can submit a subject access request by emailing the Data Protection Officer Richard Longden at rlongden@cottons.co.uk

As long as your request is not manifestly unfounded or excessive, we will provide you with this information free of charge, within 30 days of receipt of your written request. However we reserve the right to make a charge if providing this data requires we retrieve data from backups or storage facilities. We may request proof of identity before we release the data to you.

MAILING LISTS

We use a third party provider, Mailchimp, to deliver our marketing information. We gather statistics around email opening and clicks using industry standard technologies to help us monitor and improve this marketing material. For more information please see Mailchimp's privacy policy.

IT/COOKIES

We may collect and store information whenever you use Cottons website by the use of Cookies which are alphanumeric identifiers that may in some cases be transferred to your computer's hard drive via your browser to enable our computers to recognise your browser when you use our website. The use of cookies is an industry standard and most major websites use them to provide functionality and personalisation for their customers. We only use Cookies in order to make your use of our website easier. Browsers can be adjusted to prevent acceptance of cookies or notify the user on receipt of cookies. If your computer is unable to accept cookies, our website will operate less efficiently.

Cookies in themselves do not personally identify users, although they do identify a user's computer.

Our web-servers may automatically store the following Information about you: your ISP, your IP address, your web browser type and version, the number of colours your screen is displaying, your operating system, the URL you clicked to get to the Website, time/ date, http accept string (e.g. mime data types that the browser accepts), the locale setting of the computer/ browser and all other data made available by your browser and this information is used to make our website operate more efficiently.

You do not have to provide any information in order to use our website.

How to refuse the use of cookies

You may refuse the use of cookies by selecting the appropriate settings in your browser. However, if you do this you may lose some useful functionality such as personalisation and “keep me signed in” and “remember me” features.

Google Analytics

Cottons website uses Google Analytics, a web analytics service provided by Google, Inc. (“Google”). Google Analytics uses cookies (text files placed on your computer) to help the website operators analyse how users use the site. The information generated by the cookie about your use of the website (including your IP address) will be transmitted to and stored by Google on servers in the United States. Google will use this information for the purpose of evaluating your use of the website, compiling reports on website activity for Cottons and providing other services relating to website activity and internet usage. Google may also transfer this information to third parties where required to do so by law, or where such third parties process the information on Google’s behalf. Google will not associate your IP address with any other data held by Google. By using this website, you consent to the processing of data about you by Google in the manner and for the purposes set out above.

Sharing tools

This website may use sharing tools. Sharing tools allow you to share content through social networks such as Facebook or Twitter. When you use one of these buttons, the social networking site may place a cookie on your computer. This would be a third-party cookie set by the social networking site. If you have any questions about the use of these third-party cookies, you should check the relevant social networking site’s cookie policy.

INDIVIDUALS RIGHTS UNDER THE GENERAL DATA PROTECTION REGULATIONS (GDPR)

The GDPR creates some new rights for individuals, and strengthens some of the rights that currently exist. An individual’s rights under GDPR are:

- The right to be informed
- The right of access
- The right of rectification
- The right to erasure
- The right to restrict processing
- The right to data portability
- The right to object
- Rights in relation to automated decision making and profiling

The right to be informed

This obligates the data controller’s need to provide at your request “fair processing information”, typically through a privacy notice such as this, in order to provide transparency over how Cottons use personal data.

The right of access

This right allows you to request confirmation that your data is being processed, access to your personal data, and the supplementary information that is provided in this privacy policy.

The right of rectification

You have the right to have your personal data corrected if it is inaccurate or incomplete. If Cottons has disclosed your personal data to third parties, we must then inform them of the rectification where possible, and inform you about the third parties to whom your data has been disclosed, if appropriate.

The right to erasure

This is known as the “right to be forgotten”, and the principle underpinning this right is to enable an individual to request the deletion or removal of personal data where there is no compelling reason for its continuing processing. Some requests however can be refused for specific reasons as set out on the ICO.org.uk website. We may also have to retain some basic details to ensure we do not start processing your data again, should it be provided to us through a purchase of data.

The right to restrict processing

You have the right to “block” or suppress processing of personal data, i.e. request not to be contacted for marketing or information dispersal. In this case your data would be retained to ensure that the restriction is respected in future.

The right to data portability

This right allows individuals to obtain and reuse their personal data for their own purposes across different services, i.e. to move, copy or transfer personal data from one IT environment to another in a safe and secure way (an example would be a bank allowing you to access your personal online banking data and then upload it to a price comparison website to compare and identify your best value banking options).

The right to object

Individuals have a right to object (on “grounds relating to his or her particular situation”) to:

- processing of their data based on legitimate interests or the performance of a task in the public interest/exercise of official authority (including profiling);
- direct marketing (including profiling); and
- processing for purposes of scientific/historical research and statistics.

If you wish to discuss/request any of the above rights, please email the Data Protection Officer, Richard Longden at rlongden@cottons.co.uk

PERSONAL DATA - BASIS OF PROCESSING

The data Cottons process about you is undertaken under the following lawful bases:

- If you receive marketing correspondence from us, your data is held on a Consent basis
- If you are a client, your data is held on a Contract basis
- If you are a Customer, or Supplier your data is held on a Legitimate Interests basis

FURTHER INFORMATION

If you have any further questions regarding this Privacy Policy, or in relation to how Cottons handle data, please contact the Data Protection Officer Richard Longden at rlongden@cottons.co.uk

COMPLAINTS

We hope that we can resolve any query that you raise about the use of your information.

The General Data Protection Regulations also give you the right to lodge a complaint with a supervisory authority in particular of the European Union (or European Economic Area) state where you work, normally live, or where any alleged infringement of data protection laws has occurred. The supervisory authority in the UK is the Information Commissioner who may be contacted at <https://ico.org.uk/concerns/>

DEFINITIONS

Explanations for some of the terms used in our Privacy Policy are given below:

Client: A Client refers to an individual or organisation that has entered into a contract with Cottons, for us to supply them with services of selling, letting, managing, insuring, surveying or otherwise dealing with a property in their ownership. For the purposes of this privacy policy, the term Client, includes individuals or organisations, who are prospective Clients, i.e, they are in discussions or correspondence and are contemplating entering into a contract with Cottons.

Customer: A Customer refers to an individual or organisation, who purchases a property from one of Cottons Clients, or is a tenant, lessee, owner or occupier of a property that Cottons provide sales, lettings, management surveying or any other service in connection with. For the purposes of this privacy policy, the term Customer, also includes individuals or organisations, who may become Customers.

Supplier – A Supplier refers to a contractor or other supplier, whom we may instruct on behalf of our Clients, to carry out work or services in relation to a property or development that we are either selling, letting, managing, insuring, surveying or otherwise dealing with,

Web Server: A Server that delivers web pages to your computer.

Browser: A software application (e.g. Microsoft Internet Explorer or Google Chrome) used to locate and display Web pages.

A Cookie: A message given to a browser by a web server. The browser stores the message in a text file called a cookie. Each time the browser requests a page from the server, this message is sent back. Cottons may use cookies to identify users and allow them to log in; to customise their visit by personalising web pages for them – for example by welcoming them by name next time they visit the same site; to keep track of their preferences and to track their usage of the site.

IP (Internet Protocol): All networks connected to the Internet speak IP, the technical standard that allows data to be transmitted between two devices.

TCP/IP (Transmission Control Protocol/Internet Protocol) is responsible for making sure messages get from one host to another and that the messages are understood.