

CLIENT PRIVACY NOTICE

This Privacy Notice explains in detail the types of personal data Speirs Gumley may collect about you. It also explains how we will store and use that data, and how we will retain it safely. Our data retention policy specifies how long we will keep your data.

Who is Speirs Gumley?

Speirs Gumley is made up of a number of businesses:

- **Speirs Gumley**
- **Speirs Gumley Property Management -** (Registered in Scotland Company No: SC078921)
providing both residential and commercial property management services across Scotland
- **Speirs Gumley Residential Letting Ltd -** (Registered in Scotland Company No: SC103600)
providing a residential property letting services across Scotland

For simplicity throughout this notice, the terms 'we', 'us' and Speirs Gumley refers to the group of companies and the services we provide. The following information should answer any questions you have, but if not, please get in touch with us. We may need to update this Privacy Notice from time to time, a copy of which will always be available on our website at www.speirsgumley.com and we will notify you of any significant changes.

We process personal data in accordance with the Principles in Article 5 of GDPR

- ✓ Personal data shall be processed lawfully, fairly and in a transparent manner
- ✓ Collected for specified, explicit and legitimate purposes
- ✓ Adequate, relevant and limited to what is necessary
- ✓ Accurate and, where necessary, kept up to date
- ✓ Retained only for as long as necessary
- ✓ Processed in an appropriate manner to maintain security

The lawful bases for holding your Personal Data

The law on data protection sets out a number of different reasons for which a company may collect and process your personal data, including:

Performance of a contract

We need to hold a certain amount of personal data about our clients, to allow us to provide the necessary services. The extent of personal data we will hold, to allow us to fulfil our obligations under the terms of our contract with you as the 'client' is:

- *Name*
- *Address*
- *Alternative Correspondence Address*
- *Contact Telephone Number(s), i.e. Home, Work, Mobile, Emergency Contact*
- *Email Address(s)*
- *Bank Details (e.g. where you select Direct Debit payment option)*
- *Details of your interactions with us whether direct, online or by using our client gateway or app*
For example, we may collect notes from our conversations with you
- *Your social media username, if you interact with us through those channels*

Contractual obligations

We need your personal data to comply with our contractual obligations. For example, if you need a repair carried out at your property, we will pass your contact details to one of our preferred contractors. Our preferred contractors are obliged to sign our Data Processing Agreement, wherein they agree that any data we pass to them will only be used for the express purposes intended, that it will not be retained for longer than is necessary, and they will thereafter dispose that data in a secure manner.

Legal Obligation

If the law requires us to, we may need to collect and process your data.

We need to process copies of documents you provide to us to prove your age or identity where the law requires, e.g. our Residential Letting Company will require your passport or driver's licence. We will retain information provided by credit reference agencies to inform our decision making processes.

Legitimate interest

In specific situations, we require your data to pursue our legitimate business interests in a way which might reasonably be expected as part of running our business, and which does not materially impact your rights, freedom or interests. For example, we will also use your address and email contact details to send you information telling you about any of our services that we think might interest you, e.g. our Residential Letting Services, or guidance to accessing the Speirs Gumley Gateway or App.

If you do not want to receive this information, you can unsubscribe by emailing us at gdpr@speirsgumley.com

When will we collect any Personal Data

- When you visit our website (via our contact forms)
- When you create an account with us
- When you engage with us on social media
- When you download or install our app or client gateway
- When you contact us by any means, with queries, complaints etc
- When you ask one of our staff to email you information about our services
- When you enter any prize draw or competitions
- When you choose to complete any surveys we may send you, e.g. *SurveyMonkey*
- When you comment on, or review, our services. If your comment or review includes information about a staff member who provided that service, it may be passed on to them
- When you fill in any forms, e.g. if an accident happens in one of our offices, a staff member may collect your personal data
- When you've given a third party permission to share with us the information they hold about you, or conversely, for us to share information we hold about you, e.g. Power of Attorney
- We collect data from publicly available sources (such as Land Registry) when you have given your consent to share information or where the information is made public as a matter of law
- When you visit our office, this will usually have CCTV systems operating for the security of both customers and our staff. These systems may record your image during your visit

Why do we need your Personal Data

We need your personal data to be able to provide our services to you, and to comply with our contractual or legal obligations. Instances of how we can use this data are as follows:

- We will contact you with details of any changes in service where we are lawfully obliged to do so. These notifications will not include any promotional content, and do not require your prior consent
- To send you relevant, personalised communications by post in relation to updates, services and products. You are free to opt out of hearing from us by post, in favour of receiving communications electronically
- To develop, test and improve our systems, and the services we provide to you

- To process any maintenance or repair orders that you instruct us to do on your behalf, whether by telephone, or via our website contact form, our app or by visiting our Offices. Your details may need to be passed to a third party supplier to deliver a service, and we may keep your details for a reasonable period afterwards in order to fulfil any contractual obligations such as guarantees and so on
- To respond to any enquiries. We will keep a record of that information to inform any future communication with us, and to demonstrate how we communicated with you throughout
- To protect your account and our business from fraud and other illegal activities. This includes using your personal data to maintain, update and safeguard your account
- To protect our premises, assets and staff from crime, we operate CCTV systems in our Offices and car park which record images for security. We will pass on any CCTV data where we have a legal obligation to do so
- To process payments and to prevent fraudulent transactions
- To send you communications required by law, for example, any change to the services we provide you, e.g. via our Written Statement of Service or updates to this Privacy Notice
- To comply with our contractual or legal obligations to share data with law enforcement, e.g. when a court order is received/submitted
- To send you survey and feedback requests in the management of your property, or to help improve our service. These messages will not include any promotional content
- Remember, if you choose not to share some of your personal data with us, or refuse certain contact permissions, we might not be able to provide essential services, e.g. we might be unable to instruct a contractor to deal with an emergency repair for you

How we protect your Personal Data

We will treat your data with the utmost care and take all appropriate reasonable steps to protect it. All payment sections of our website and our App uses secure 'https' technology in addition to PCI DSS encryption for all payments. Access to your personal data is password-protected, and special category data is secured by SSL encryption. Our systems are regularly monitored for possible vulnerabilities and attacks.

How long will we retain your Personal Data

Whenever we collect or process your personal data, we'll only keep it for as long as is necessary for the purpose for which it was collected. Further details are available within our Data Retention Policy.

Who do we share your Personal Data with

We routinely share your personal data with the following trusted third parties in the performance of our contract with you:

- Maintenance Contractors
- Surveyors
- Solicitors and Recovery Agents
- Insurers
- Local Authorities
- I.T. companies who support our website and other business systems
- Other businesses as required from time to time to ensure the performance of our contract with you

In providing information to them, we have contractual agreements in place which determine:

- We will only pass on the detail they need to provide their specific service
- They may only use your data for the exact purposes we specify in our terms and conditions
- If we stop using their services, our terms and conditions require them to delete any of your data held

For fraud management; we may share information about fraudulent or potentially fraudulent activity in our premises or systems. This may include sharing data about individuals with law enforcement bodies. We may also be required to disclose your personal data to the Police or other enforcement, regulatory or Government body, upon a valid request to do so. We will never sell or share your data with other organisations for marketing purposes, or any purpose which is not directly linked to the provision of the management services for which we are engaged

What are your rights in relation to the Personal Data we hold

You have the right to request:

- Access to information about (and a copy of) the personal data we hold about you; free of charge in most cases
- The correction of your personal data where this is incorrect, out of date or incomplete
- That we stop any consent-based processing of your personal data after you withdraw that consent
- Erasing of your data in certain circumstances
- The right to object to the processing of your data in certain circumstances
- The right to object to receiving marketing information from us

We will do our best to comply with any request to exercise your rights without undue delay and within one month of the request being made.

To make any of the above requests, please contact Data Compliance, Speirs Gumley, 194 Bath Street, Glasgow G2 4LE, or email: gdpr@speirsgumley.com. To ask for your personal data to be amended, please contact our Customer Services team at: customerservices@speirsgumley.com.

If we choose not to action your request we will explain to you the reasons for our refusal.

Checking your identity

To protect the confidentiality of your information, we will ask you to verify your identity before proceeding with any request you make under this Privacy Notice. If you have authorised a third party to submit a request on your behalf, we will ask them to prove they have your permission to act.

How can you stop the use of Personal Data for direct marketing

You have the right to stop the use of your personal data for direct marketing activity through all channels, or selected channels. We must always comply with your request. You can stop direct marketing communications from us, by requesting this either in writing or via email. Correspondence should be addressed to: Data Compliance, Speirs Gumley, 194 Bath Street, Glasgow G2 4LE. Email enquiries to: gdpr@speirsgumley.com

Contacting the Regulator

If you feel that your data has not been handled correctly, or you are unhappy with our response to any requests you have made to us regarding the use of your personal data, you have the right to lodge a complaint with the Information Commissioner's Office.

You can contact them by calling **0303 123 1113**, or visit them online at: www.ico.org.uk/concerns