

Harley Estate Agents Privacy Policy

Our contact details

Name: Harley Estate Agents

Address: 84 Monkland Avenue, Kirkintilloch, G66 3BP

Phone Number: 07938 566 969

Email: info@harleyestateagents.co.uk

This version of our Privacy Policy was updated on 20th February 2021.

The type of personal information we collect

We currently collect and process the following information:

Personal identifiers, contacts, and characteristics (for example, your name, home or other physical address, email address, telephone numbers).

National insurance number, passport number, driver's license number, bank account number, credit or debit card number, employee data, financial information showing proof of funds for purchase, photographic image, signature, marital or civil partnership status that we are required by law to collect this data to comply with the Money Laundering Regulations 2017.

Information on any disabilities or health information that may affect any access requirements you may have, to enable us to find suitable properties for you.

All communication with Harley Estate Agents, including emails, telephone, social media is recorded when requesting information on a property or one of our services.

How we get the personal information and why we have it

When you provide this information to Harley Estate Agents, you are giving consent to our use of that information in accordance with the terms of this Privacy Policy.

The personal information provided is used for one of the following reasons:

You may provide your Identity, Contact and Financial Data in person, filling in forms, or by corresponding with us by post, telephone, email, social media, or WhatsApp, Zoom. This enables you to use services on our website and social media pages.

The personal data you provide when requesting information on our Estate Agency service/fees allows Harley Estate Agents to contact you and discuss our services/fees further.

You have given Harley Estate Agents your permission to send you information on products and services offered by Harley Estate Agents, and/or selected third parties Harley Estate Agents have chosen to work with which we believe may be of interest and benefit to you.

You can unsubscribe to at any time by email info@harleyestateagents.co.uk

Registering on Harley Estate Agents mailing list provides Harley Estate Agents with personal and financial information which will allow Harley Estate Agents to advise you of properties that match your criteria.

You can unsubscribe to at any time by email info@harleyestateagents.co.uk

Requesting property details, home reports, 360 video walk through, viewing of properties, allows Harley Estate Agents to fulfil your request and in doing so giving consent to passing information onto the seller.

If you do not wish your information passed on, please advise us as soon as possible via email info@harleyestateagents.co.uk.

Providing feedback helps Harley Estate Agents provide a more personal service and improve our services.

Requesting a valuation of your property, allows Harley Estate Agents to carry out research on your property, before providing a valuation.

When you instruct Harley Estate Agents to sell your property, the personal and photographic information provided, allows Harley Estate Agents to carry out checks to confirm compliance with the Money Laundering Regulations 2017.

The personal and photographic information you provide allows Harley Estate Agents to market your property for sale.

Purchasing a property from Harley Estate Agents, with the personal, photographic and proof of funds information provided, allows Harley Estate Agents to carry out checks to confirm compliance with the Money Laundering Regulations 2017.

Entering a competition, promotion, or survey, allows improvement of the marketing of Harley Estate Agents.

In providing this information, Harley estate Agents will only use this information for the services you have requested.

Harley Estate Agents collect personal information to allow a tailored and personal service for you.

Harley Estate Agents also receives personal information indirectly from the following sources, in the following scenarios:

Your details may have been passed onto by a third party i.e. a friend, partner, a family member, a professional body i.e. a solicitor, a mortgage advisor, surveyor, photographer, who has been given your permission to ask Harley Estate Agents to make contact with you to discuss our services and products further. Other relevant third parties are Rightmove, Zoopla, Primelocation, On the Market, Nethouseprices, Facebook, Instagram and Twitter.

The personal information you provide will only be used for relevant services/products that may be of interest to you.

Harley estate Agents will not share your information with third parties for marketing purposes without first obtaining your prior consent.

Cookies

Harley Estate Agents do use a cookie on our website, but it is for server-side session only and contains no personal information. In addition, when the Session expires (when the user disconnects or after 1 hour's inactivity) any data in that session is immediately forgotten.

Third Party

If you have requested a viewing and provided Harley Estate Agents with personal information, in doing so you are giving Harley Estate Agents consent to pass your name and address onto the seller. If you do not wish your information passed on, please advise us as soon as possible via email info@harleyestateagents.co.uk

If you have requested contact from a mortgage advisor and provided Harley Estate Agents with personal and financial information, in doing so you are giving Harley estate Agents consent for this information to be passed onto the mortgage advisor.

If you have requested contact/legal quotation from a solicitor and provided Harley Estate Agents with personal information, in doing so you are giving Harley Estate Agents consent for this information to be passed onto the solicitor.

If you have purchased or sold a property, your personal information will be passed onto the seller's/sellers' solicitors and purchaser/purchasers' solicitor.

Harley Estate Agents can use your personal information and financial information/proof of funds together with other information to carry out checks to comply with the Money Laundering Regulations 2017

Harley Estate Agents will advertise your property information on our website, as well as other property websites and on social media.

Harley Estate Agents will advertise your reviews on our website, as well as other property websites and on social media.

Harley Estate Agents can, with your permission pass your personal information onto third parties such as surveyors, photographer, solicitors and mortgage advisors.

List of names and organisations that we may share your data with are

Dm Hall Surveyors

Riverpark Investments/Mortgage Services (Mortgage Advisor)
Steven Gillespie (Mortgage Advisor)
Graeme Hilley Envoy Financial Ltd (Mortgage Advisor)
Paul Lewis (Sovereign Financial Services)
Pamela Currie (Mortgage Advisor)

Tom Gilbertson – John W Gilbertson Solicitors
Anderson Legal - Solicitors
W & A S Bruce – Solicitors
Malcolm Jack & Matheson - Solicitors
Cameron Pinkerton & Co- Solicitors

Iain Robb- Photographer.

Domus – Property software and website

Rightmove, Zoopla, Primelocation, On The Market, Facebook, Instagram, twitter.

The **General Data Protection Regulation (GDPR)** is a legal framework of guidelines that came into effect in May 2018. Its primary purpose is to ensure greater care and accountability from businesses who collect, store and use personal data.

Under the General Data Protection Regulation (GDPR), the lawful bases we rely on for processing this information are:

- (a) Your consent. You can remove your consent at any time. You can do this by contacting Harley Estate Agents at info@harleyestateagents.co.uk
- (b) We have a contractual obligation (where appropriate).
- (c) We have a legal obligation to fulfill our obligations under the law.
- (d) We have a legitimate interest

Where we are required to collect personal data by law (i.e. to meet our obligations to prevent fraud and money laundering), or under the terms of contract we have with you and you fail to provide the data requested, then we may not be able to perform the contract we have or are entering into with you. In this case we may have to cancel the contract with you and we will notify you if this is the case.

Our legitimate interest includes processing data necessary to improve, promote our products and services. To better understand our customers interests/ knowledge of the property market and allow Harley Estate Agents to administer the technical aspects of our service and products.

We will retain your information for 6 years. There may be occasions, depending on the service you have chosen and any change of laws that we may require to keep your information longer.

Your data protection rights

Under data protection law, you have rights including:

Your right of access - You have the right to ask us for copies of your personal information.

Your right to rectification - You have the right to ask us to rectify personal information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.

Your right to erasure - You have the right to ask us to erase your personal information in certain circumstances.

Your right to restriction of processing - You have the right to ask us to restrict the processing of your personal information in certain circumstances.

Your right to object to processing - You have the the right to object to the processing of your personal information in certain circumstances.

Your right to data portability - You have the right to ask that we transfer the personal information you gave us to another organisation, or to you, in certain circumstances.

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

Please contact us at info@harleyestateagents.co.uk 07938 566 969, 84 Monkland Avenue, Kirkintilloch, G66 3BP if you wish to make a request.

How we store your personal information

Harley Estate Agents will retain data no longer than is required. Where Harley Estate Agents have organised viewings and/or received offers, or a purchase transaction proceeds, we will retain the information regarding the property transaction for a period of 6 years from the date of entry to comply with Money Laundering purposes and The Property Ombudsman Code of Practice for Residential Estate Agents in Scotland. Also, to protect our legitimate interest and those of our clients in defending possible legal claims. After this period, it will be deleted from our database and any paperwork will be shredded and disposed of securely.

Where Harley Estate Agents receive a general enquiry, which does not proceed onto a property viewing, or an offer or sale, valuation, we retain data for a period of 12 months for management and statistical purposes. After this period, it will be deleted from our database and any paperwork will be shredded and disposed of securely.

Your information is securely stored with end-to-end encryption. Only those in possession of username and password can access the information.

All paper files are held in a secure/locked cabinet in our offices.

How to complain

If you have any concerns about our use of your personal information, you can make a complaint to us at Harley Estate Agents, 84 Monkland Avenue, Kirkintilloch, G66 3BP – info@harleyestateagents.co.uk

You can also complain to the ICO if you are unhappy with how we have used your data.

The ICO's address:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Helpline number: 0303 123 1113

ICO website: <https://www.ico.org.uk>

Track & Trace

Collection of personal data - privacy notice

(Published 15th Jan 2021 – Scottish Government)

For the health and safety of the customers and staff who visit properties/premises, we must collect the name and contact details of visitors to these properties/premises to support NHS Scotland's Test & Protect. This information will be used to enable NHS Scotland to contact you should you have been in the property/premises around the same time as someone who has tested positive for coronavirus. Contacting people who might have been exposed to the virus is an important step in stopping the spread.

Why do we need to collect this data?

As stated above, the purpose for which we are processing your personal data is to assist with NHS Scotland's Test and Protect strategy in relation to the coronavirus public health epidemic.

This will involve the gathering and, when required, the sharing of information with NHS Scotland as the responsible body for Test and Protect. Your data will not be used for any other purpose. In order to assist in the containment of the virus, we will only share your data when it is requested directly by NHS Scotland.

This will only be in the unlikely event there is a cluster of coronavirus cases linked to the venue. Information will be transferred securely to NHS National Services Scotland who will use the data to contact trace those who were in the establishment at the same time as the positive case, and will provide guidance and support to those who may be advised to self-isolate. For further information on the NHS Scotland Test and Protect strategy please visit the [NHS website](#).

What data will we collect?

Along with the date and time of your arrival and departure, we will collect the following personal data if applicable:

- your name; and
- contact telephone number.

If you do not have a telephone number, you have the option to provide:

- a postal address; or
- an email address.

Where multi-household groups are present, we will collect contact details from a 'lead member' of each household, along with the number in attendance from each household within the group.

What is our lawful basis for collecting and sharing this data?

Under data protection law, GDPR Article 6(1), we have a number of lawful bases that allow us to collect, process and share personal information. In this case, the lawful basis for processing your data is 'legal obligation'.

In short, we are obliged to process the personal data to comply with the law which requires us to collect your data and share it with public health officers if they request it under The Health Protection (Coronavirus) (Restrictions) (Scotland) Amendment (No. 11) Regulations 2020.

How long will we retain the data?

Your personal data collected for the purposes stated in this privacy notice and will be held by us for at least 3 weeks (21 days). All personal data will be held and disposed of in a safe and secure manner.

Your rights

As defined in the data protection law, GDPR Article(s) 12-23, you have the following rights:

- The right to be informed about the collection and use of your personal data. This is outlined above.
- The right to access the information we hold about you. Also known as Subject Access Request (SAR).
- The right to request rectification of any inaccurate personal data we hold about you. In certain circumstances exemptions to these rights may apply.

Further information is available on the [Information Commissioner's Office website](#).

Do you have a complaint?

If you consider that your personal data has been misused or mishandled by us, you can raise this with the data controller. In this instance, the data controller is the manager of this venue. If you remain dissatisfied you can make a complaint to the Information Commissioner, who is an independent regulator. The Information Commissioner can be contacted at:

Information Commissioner's Office Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
0303 123 1113
casework@ico.org.uk

Any complaint to the Information Commissioner is without prejudice to your right to seek redress through the courts.