

The Hobbs Parker Group

Privacy Notice

Version 1 - Published 21 May 2018

We respect the privacy of your personal data.

This privacy policy explains who we are and how and why we collect, store, use and share your personal data. It also explains your rights in relation to your personal data and how to contact us or supervisory authorities in the event you have a complaint.

Our use of your personal data is subject to your instructions, the EU General Data Protection Regulation (GDPR), other relevant UK and EU legislation and our professional duty of confidentiality.

1 Key Terms

We, us, our, The Hobbs Parker Group	The Hobbs Parker Group includes: Hobbs Parker Ventures Ltd Hobbs Parker 2011 LLP Hobbs Parker 1850 LLP Hobbs Parker Auctioneers LLP Hobbs Parker Car Auctions LLP Hobbs Parker Estate Agents LLP Hobbs Parker Property Consultants LLP Spark 9 LLP Kendall Richardson LLP
Data Protection Manager	Sam Snart sam.snart@hobbsparker.co.uk 01233 502222
Personal data	Any information which can be used to identify a living individual
Sensitive personal data	Personal data revealing racial or ethnic origin, political opinions, religious beliefs, philosophical beliefs or trade union membership Genetic and biometric data Data concerning health, sex life or sexual orientation

2 Personal data we collect about you

The list below sets out the personal data we may collect and store so we can act for you or provide our services to you.

- Your name, address and telephone number;
- Information to enable us to check and verify your identity;
- Electronic contact details;
- Information relating to the services we are providing to you;
- Information to enable us to undertake a credit or other checks, e.g. your date of birth and passport details;
- Your financial details so far as relevant to your instructions.
- Your National Insurance and tax details;
- Your bank and/or building society details;
- Details of your professional online presence;
- Details of your spouse/partner and dependants or other family members;
- Your employment status and details including salary and benefits;
- Your employment records including, where relevant, records relating to sickness and attendance, performance, disciplinary, conduct and grievances (including sensitive personal data);
- Details of your pension arrangements;
- Your racial or ethnic origin, gender and sexual orientation, religious or similar beliefs;
- Your trade union membership;
- Personal identifying information, such as your hair or eye colour or your parents' names;
- Your medical records.

This personal data is required to enable us to provide our services to you. If you do not provide personal data we ask for, it may delay or prevent us from providing services to you.

3 How your personal data is collected

We collect most of this information from you directly. However, we may also collect information:

- from publicly accessible sources, e.g.:
 - Companies House;
 - HM Land Registry;
 - HMRC;
 - DVLA;
 - DEFRA;

- directly from a third party, e.g.:
 - credit reference agencies;

- from a third party with your consent, e.g.:
 - your bank or building society, another financial institution or advisor;
 - consultants and other professionals engaged in relation to the services we are providing to you;
 - your employer or trade union, professional body or pension administrators;
 - your doctors, medical and occupational health professionals;

- via our website - we use cookies on our website (for more information on cookies, please see our Cookie Policy: <https://www.hobbsparker.co.uk/group/cookie-policy/>);

- via our information technology (IT) systems, e.g.:
 - auction administration, accounts, payroll, case management, document management and time recording systems;
 - automated monitoring of our websites and other technical systems, such as our computer networks and connections, CCTV and access control systems, telecommunications systems, and email messaging systems.

4. How and why we use your personal data

Under data protection law, we can only use your personal data if we have a proper reason for doing so, e.g.:

- to comply with our legal and regulatory obligations;
- for the performance of our contract with you or to take steps at your request before entering into a contract;
- for our legitimate interests or those of a third party; or
- where you have given consent.

A legitimate interest is when we have a business or commercial reason to use your information, so long as this is not overridden by your own rights and interests.

The table below explains what we use (process) your personal data for and our reasons for doing so:

What we use your personal data for	Our reason(s) for using your personal data
To provide business services to you	For the performance of our contract with you or to take steps at your request before entering into a contract.
Conducting checks to identify our clients and verify their identity Screening for financial and other sanctions or embargoes Other processing necessary to comply with professional, legal and regulatory obligations that apply to our business	To comply with our legal and regulatory obligations.
Gathering and providing information required by or relating to audits, enquiries or investigations by regulatory bodies	To comply with our legal and regulatory obligations.
Ensuring business policies are adhered to	For our legitimate interests or those of a third party – to make sure we are following our internal procedures so that we can deliver the best service to you.
Operational reasons, such as improving efficiency, training and quality control	For our legitimate interests or those of a third party – to ensure we are as efficient as possible in order to deliver the best service to you.

Ensuring the confidentiality of commercially sensitive information	For our legitimate interests or those of a third party – to protect our intellectual property and other commercially valuable information. To comply with our legal and regulatory obligations.
Preventing unauthorised access and modifications to systems	For our legitimate interests or those of a third party - to prevent and detect criminal activity that could be damaging to you or us. To comply with our legal and regulatory obligations.
Updating and enhancing client records	For the performance of our contract with you or to take steps at your request before entering into a contract. To comply with our legal and regulatory obligations. For our legitimate interests or those of a third party – to ensure we can keep in touch with our clients about new and existing services.
Statutory returns	To comply with our legal and regulatory obligations.
Ensuring safe working practices, staff administration and assessments	To comply with our legal and regulatory obligations. For our legitimate interests or those of a third party – to ensure that we are following our internal procedures to work safely and efficiently.
Marketing our services to: <ul style="list-style-type: none"> ● existing and former clients; ● third parties who have previously expressed an interest in our services; ● third parties with whom we have had no previous dealings. 	For our legitimate interests or those of a third party – to promote our business to existing, former and potential clients.
Credit reference checks via external credit reference agencies	For our legitimate interests or a those of a third party – for credit control and in order to verify the identity of our clients. To comply with our legal and regulatory obligations
External audits and quality checks, e.g. for RICS, ICAEW, FCA, ICB, FABBL, RTPI, ACCA, NAEA, ARLA and the audit of our accounts	For our legitimate interests or a those of a third party – to maintain accreditations to demonstrate the high quality of our work and service. To comply with our legal and regulatory obligations.

Insurance-related matters	For our legitimate interests or those of a third party – to maintain appropriate insurance coverage as a professional firm and to report any potential claim as required under our policies. To comply with our legal and regulatory obligations.
---------------------------	--

The table above does not apply to sensitive personal data.

We do not usually collect or process any sensitive personal data. If we do, we will only process with your explicit consent, unless one of the exceptions to explicit consent under Article 9 of the GDPR applies.

5. Promotional communications

We may use your personal data to send you updates (by email, text message, social media services, internet services, telephone or post) about matters that might be of interest to you and/or information about our services.

We have a legitimate interest in processing your personal data for promotional purposes (see above 'How and why we use your personal data'). This means we do not usually need your consent to send you promotional communications. However, where consent is needed, for example for electronic marketing communications, we will ask for this consent separately and clearly.

We will always treat your personal data with the utmost respect and never sell it to other organisations for marketing purposes.

You have the right to opt out of receiving promotional communications at any time by:

- contacting us on unsubscribe@hobbsparker.co.uk; or
- using the 'unsubscribe' link in emails.

We may ask you to confirm or update your marketing preferences if you instruct us to provide further services in the future, or if there are changes in the law, regulation, or the structure of our business.

6. Who we share your personal data with

We routinely share personal data with:

- professional advisers who we instruct on your behalf or refer you to, e.g. solicitors, barristers, banks, medical professionals, accountants, tax advisors or other consultants or experts;

- other people involved in your matter (including other parties e.g. vendors and purchasers of properties, landlords and tenants and other parties to negotiations and contracts) and their advisers;
- other third parties where necessary to carry out your instructions, e.g. your mortgage provider, HMRC, DVLA, DEFRA, HM Land Registry or Companies House;
- credit reference agencies;
- our insurers and brokers;
- external auditors, e.g. in relation to regulatory bodies and the audit of our accounts;
- our banks;
- our IT providers; and
- external service suppliers, representatives and agents that we use to make our business more efficient, e.g. typing services and public relations agencies.

We only allow our service providers to handle your personal data if we are reasonably satisfied they take appropriate measures to protect your personal data.

We may disclose and exchange information with law enforcement agencies and regulatory bodies to comply with our legal and regulatory obligations.

We may also need to share some personal data with other parties, such as potential buyers of some or all of our business or during a re-structuring. Usually, information will be anonymised but this may not always be possible. The recipient of the information will be bound by confidentiality obligations.

7. Where your personal data is held

Information may be held at our offices and those of the third party agencies, service providers, representatives and agents as described above (see 'Who we share your personal data with').

Some of these third parties may be based outside the European Economic Area. For more information, including on how we safeguard your personal data when this occurs, see below: 'Transferring your personal data out of the EEA'.

8. How long your personal data will be kept

We will keep your personal data after we have finished advising or acting for you. We will do so for one of these reasons:

- to respond to any questions, complaints or claims made by you or on your behalf;
- to enable us to carry out checks for conflicts of interest in the future;
- to comply with the needs of our insurance policies;

- to show that we treated you fairly; and
- to keep records required by law.

Usually we will retain your data for seven years.

In some instances data will be retained for longer including but not limited to:

- Trust deeds - never destroyed or deleted
- Documents relating to litigation or other legal proceedings - never destroyed or deleted
- Pension scheme records - never destroyed or deleted
- Contracts executed as a deed - usually destroyed or deleted 12 years after expiry
- Other contracts - usually destroyed or deleted 6 years after expiry
- Leases - usually destroyed or deleted 12 years after the lease has terminated and all outstanding matters have been settled
- Agreements with architects, builders etc. - usually destroyed or deleted 6 years after the contract has been completed
- Historical data to assist with future Capital Gains Tax calculations - usually destroyed or deleted 7 years after the disposal of the asset

You can ask us at any time for our current retention period that applies to the data we hold relating to you.

9. Transferring your personal data out of the EEA

To deliver services to you, it is sometimes necessary for us to share your personal data outside the European Economic Area (EEA), e.g.:

- with your service providers located outside the EEA;
- if you are based outside the EEA; or
- where there is an international dimension to the matter in which we are advising you.

These transfers are subject to special rules under European and UK data protection law. Whenever we transfer your personal data out of the EEA, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission. For further details, see [European Commission: Adequacy of the protection of personal data in non-EU countries.](#)

Where we use certain service providers, we may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe. For further details, see [European Commission: Model contracts for the transfer of personal data to third countries.](#)

Where we use providers based in the US, we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to personal data shared between the Europe and the US. For further details, see [European Commission: EU-US Privacy Shield](#).

If you would like further information please contact our data protection manager - please see below: 'How to contact us'.

10. Your rights

You have the following rights:

Access	The right to be provided with a copy of your personal data.
Rectification	The right to require us to correct any mistakes in your personal data.
To be forgotten	The right to require us to delete your personal data in certain situations.
Restriction of processing	The right to require us to restrict processing of your personal data in certain circumstances, e.g. if you contest the accuracy of the data
Data portability	The right to receive the personal data you provided to us, in a structured, commonly used and machine-readable format and/or transmit that data to a third party in certain situations
To object	The right to object: <ul style="list-style-type: none"> • at any time to your personal data being processed for direct marketing (including profiling); or • in certain other situations to our continued processing of your personal data, e.g. processing carried out for the purpose of our legitimate interests.
Not to be subject to automated individual decision-making	The right not to be subject to a decision based solely on automated processing (including profiling) that produces legal effects concerning you or similarly significantly affects you.

For further information on each of those rights, including the circumstances in which they apply, please contact us or see the guidance from the UK Information Commissioner's Office on

individuals' rights under the General Data Protection Regulation -
<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>.

If you would like to exercise any of those rights, please:

- email, call or write to our data protection manager - see below: 'How to contact us'; and
- let us have enough information to identify you (your full name, address and any our reference number);
- let us have proof of your identity and address (a copy of your driving licence or passport and a recent utility or credit card bill); and
- let us know what right you want to exercise and the information to which your request relates.

No fee usually required

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

Time limit to respond

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

11. Keeping your personal data secure

We have appropriate physical and IT security measures to prevent personal data from being accidentally lost, or used or accessed unlawfully. Where practical, we limit access to your personal data to those who have a genuine business need to access it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

12. How to complain

We hope that we can resolve any query or concern you may raise about our use of your information.

If you wish to complain please contact our data protection manager.

The General Data Protection Regulation also gives you right to lodge a complaint with a supervisory authority, in particular in the European Union or EEA state where you work, normally live or where any alleged infringement of data protection laws occurred. The supervisory authority in the UK is the Information Commissioner who may be contacted at <https://ico.org.uk/concerns> or telephone: 0303 123 1113.

13. Changes to this privacy policy

This privacy notice was published on 21 May 2018 and last updated on 21 May 2018.

We will provide you with reasonable prior notice of substantial changes in how we use your information, including by email at the email address you provide.

14. How to contact us

Please contact us or our data protection manager by post, email or telephone if you have any questions about this privacy policy or the information we hold about you.

Our contact details are:

Sam Snart
The Hobbs Parker Group
Romney House
Orbital Park
Ashford
Kent TN24 0HB

sam.snart@hobbsparker.co.uk

01233 502222