

## **PRIVACY POLICY**

Bell Ingram is committed to protecting your privacy and the confidentiality of your personal information. This privacy policy lets you know how we look after your personal data. The policy explains how we do this and tells you about your privacy rights and how the law protects you.

### **Introduction**

Our use of your personal data is governed by this Privacy Policy.

Bell Ingram will treat your personal information as confidential and in accordance with applicable data protection legislation. Your personal information will only be shared with others in accordance with this policy.

Bell Ingram is a diverse practice of chartered surveyors, forestry managers, estate agents, architects, building surveyors, valuers, planning consultants, tourism and renewable energy specialists and land agents who are based across our 11 offices in Scotland and England. Our head office is at Durn, Isla Road, Perth PH2 7HF.

You can find out more about us at [www.bellingram.co.uk](http://www.bellingram.co.uk)

### **1 What is personal data?**

Personal data is any information that tells us something about you. This includes information such as name, contact details, date of birth, bank account details or any information about your needs or circumstances which would allow us to identify you.

Some personal data is classified as "special data" under data protection legislation. This type of data could create more significant risks to a person's fundamental rights and freedoms. For example, by putting them at risk of unlawful discrimination. This includes information relating to race, ethnic origin, politics, religion, genetics, health, sexual orientation and criminal convictions. We will only collect and use these types of information if the law allows us to do so.

### **2 How we collect personal information**

We collect personal information in the following ways;

- When you give it to us directly
- From third party organisations
- From publicly available records

### **3 The types of personal information we collect**

The type of personal information that we collect from you will depend on the service that we are providing to you or the reason that you are engaging with us. In all cases of engagement with you as a client we will collect your full name and contact details (e.g. phone numbers, email, postal address).

If we are providing a service to you, or on your behalf, and where we are required to do so by law, we will collect information relating to your identity. This will be at least one form of photographic identification (e.g. a passport, a driving licence or an identification card) and one form of documentation with proof of residence (e.g. a recent utility bill). We are required by law to collect this information for clients and purchasers of properties.

Depending on the service that we provide to you, or on your behalf, or on behalf of a client, we may also collect additional personal information as detailed below;

#### **Selling, letting or acquiring a property**

If you are selling or letting a property through us or using our acquisition services we will collect and use the following information about you:

- Identification and contact information, such as your full name, date of birth, age, postal address, email address and telephone numbers
- A copy of your title deed if you own the property
- Where you are not the legal owner of the property, details of your ability to sell or let the property such as a power of attorney, guardianship order or confirmation or grant of probate
- If you are a landlord your bank / building / similar account details to allow us to set up your rental payments

- Tax status information for overseas landlords which will be provided along with your name, address and the tenanted property address to HMRC

#### **Purchasing a property that we are marketing**

If you wish to purchase a property that we are currently listing for sale or you wish us to contact you about future properties for sale we will collect and use identification and contact information, such as your full name, date of birth, age, postal address, email address and telephone number and details of any specific property requirements. If you provide these to us, we will also use any specific access requirements you may have in relation to a property.

#### **Renting**

If you apply to rent a property that we are letting on behalf of a client or a sporting let that we are marketing on behalf of a client, we will require you to provide certain personal information to us both as part of your tenancy application and if you are, or become a tenant, in connection with your tenancy agreement and the management of your tenancy.

If you fail to provide certain information when requested, the landlord may not be able to offer you a tenancy, implement the tenancy agreement, manage the property or comply with legal obligations. We also have statutory and regulatory obligations to collect certain personal information from you.

We will collect personal information directly from you through the application process from you. We also may collect additional information from third parties including employers, credit reference agencies and other background check agencies.

We may collect and use the following information about you:

- Identification and contact information, such as your full name, date of birth, age, postal address, email address and telephone numbers
- Your next of kin and emergency contact details, and information about any others will be living with you at the property
- Information about your employment, including your employment status, salary, job title
- Your national insurance number
- Specific access requirements to help assess whether a property is suitable for your needs
- Your bank / building / similar account details to allow us to make payments to an approved tenancy deposit provider, to set up your rental payments and deal with service charge and insurance payments, utility recharge payments and any other tenancy payments
- Your bank / building / similar account details to allow us to process a good housekeeping deposit for sporting lets
- One form of photographic identification (such as a passport, a driving licence or an identification card) and one form of documentation with proof of your place of residence (such as a recent utility bill) for each tenant
- References and other information included as part of the application process
- Financial information, such as your bank account details, payroll records, tax status information
- Information about any outstanding debt decrees and county court judgments against you
- Information about bankruptcy, voluntary arrangements and other insolvency proceedings
- More sensitive information about you, including information about your previous criminal convictions and health information

We may also collect information about you from other sources. This may include the following:

- Publicly available information, from sources such as Companies House, the Electoral Roll, PEP and Sanctions Register, Registry of Births, deaths and Marriages, debt decrees and county court judgements and repossessions.

- Information you have shared publicly
- Information from third party databases or data suppliers, such as property sites (e.g. Rightmove. On the Market and www.bellingram.co.uk), auction sites and credit reference agencies, including details about your home, belongings and creditworthiness

#### Land and Property Management

Where we are managing land or property or sporting lets on your behalf we will share your personal information with tenants, our clients, our bank, our suppliers, contractors, HMRC, Councils, other necessary statutory bodies and any other third parties necessary to facilitate the work we carry out on your behalf and to meet our legal obligations in respect of the work that we carry out on your behalf.

#### Land referencing services

Where we provide land referencing services for a client we will collect and process identification and contact information, such as your full name, date of birth, age, postal address, email address and telephone numbers. These may be sourced from a variety of sources.

#### Accounting services

If we provide accounting services to you we will collect and process identification and contact information, such as your full name, date of birth, age, postal address, email address and telephone numbers, bank account details, VAT registration details, HMRC online logins and details of your pension scheme, professional advisers, suppliers, tenants and customers. Where we provide payroll services to you we will also collect and process identification and contact information, bank account, national insurance number, tax and pension details for your employees.

#### Contractors

If you wish to be added to our approved contractors' database or you provide services to us and/or our clients we will collect and process identification and contact information such as your full name, postal address, email address, telephone numbers, insurance and compliance certificates and evidence of industry and service related qualifications.

#### Employment Related Purposes

If you are an employee of Bell Ingram we will collect and process identification and contact information, such as name, address, contact numbers, date of birth, email address, bank account details, NI numbers, pension contribution details, emergency contact information, performance information, sickness absence information and salary information.

#### Other

If you subscribe to receive news or other marketing updates from us, then in addition to the above we may collect details about the sector in which you work and the type of content that you would like to receive but only with your consent. You have the right to withdraw consent at any time.

### **4 Lawful basis for processing your personal information**

Under data protection legislation we are only permitted to use your personal information if we have a lawful basis for doing so. We rely on the following lawful basis to process data;

'Contract' – where we have contractual relationships with suppliers, customers and employees processing is necessary to administer the pre-contract and contractual obligations for the performance of a contract.

'Legitimate Interest' – where we use our employees' personal information in ways they would reasonably expect to keep them informed and to run the business.

'Legal Obligation' – we process and share some information because it is necessary to comply with laws and regulations to do with running an organisation and employing staff, such as health and safety legislation, tax laws, planning laws, human rights and employment laws etc.

'Consent' – the provision of information will be done when you have consented to the processing of your personal data for one or more specific purposes.

In general, we only rely on consent as a legal basis for processing personal data in relation to sending direct marketing communications via email or post.

**You have the right to withdraw consent at any time.** Where consent is the only legal basis for processing, we will cease to process data after consent is withdrawn.

### **5 How we share your personal information**

We may disclose your personal information to third parties for the following reasons;

- If we are under a duty to disclose or share your personal data in order to comply with any legal obligation, or in order to enforce or apply our terms of business and other agreements.
- We will share information with our regulators, governmental; or quasi-governmental organisations, law enforcement authorities and with courts, tribunals and arbitrators as may be required to comply with regulatory and legal obligations.
- Where we use third party service providers who process personal information on our behalf in order to provide services to us. This includes IT systems providers and third party referencing or screening agencies for the purposes of prevention and detection of crime.
- To protect the rights, property, or safety of us, our customers, or others. This includes exchanging information with other companies and organisations for the purpose of fraud prevention.
- Where we are managing land or property we may share your personal information with tenants, landlords, our bank, our suppliers, contractors, HMRC, councils, other necessary statutory bodies, an approved deposit scheme and any other third parties necessary to facilitate the work we carry out on your behalf and to meet our legal obligations e.g. passing tenant contact details to a Bell Ingram approved contractor to carry out maintenance and repairs on a let property we manage.
- We may share your personal information with any person working within Bell Ingram on a need to know basis to ensure we are able to perform our obligations to you.

We will never sell your personal information to third parties.

### **6 What happens if you do not provide information that we request?**

We need some of your personal information to perform the services you have requested from us, for example, if selling a property on your behalf we need to know your contact information, so we can update you with information on viewings, offers and progress of the sale.

We also require certain information to comply with our legal and regulatory obligations, for example, identification documents to meet our obligations to prevent fraud and money laundering.

If you do not provide us with the information we require, we will not be able to perform our contract with you and in some cases, may not be able to provide a service or continue to provide certain services to you.

### **7 How long we will keep your personal information**

The period we keep your personal information will depend on the type of service we have provided you with. The retention period may be longer than the period for which we are providing services to you where we have a statutory or regulatory obligation to retain personal information for a longer period, or where we may need to retain information in case of a legal claim.

### **8 How we keep your personal information secure**

We take the security of information very seriously and have measures in place which are designed to prevent unauthorised access to your personal information. They include, but are not limited to:

- Client files are stored on our secure client management systems, both in-house and in our Cloud-based data facility. Access to our client systems is restricted to those within the business who are required to have access to your information for legitimate business purposes.
- Internally-held data is secured behind a company firewall which does not allow access to external third parties.
- Bell Ingram's Cloud-based data is stored within a GDPR-compliant hosted environment accessible only to authorised users. Logins are protected by multi-factor authentication. Comprehensive auditing

facilities and security reports are available to assist in the detection of unauthorised access.

- All Bell Ingram employees are required to comply with our company IT Policy which forbids the disclosure of personal information to parties who do not have a legitimate right to access it.

## 9 Your rights in relation to your personal information

You have the following rights;

- the right to ask for a copy of personal data that we hold about you (the right of access);
- the right (in certain circumstances) to request that we delete personal data held on you;
- where we no longer have any legal reason to retain it (the right of erasure or to be forgotten);
- the right to ask us to update and correct any out-of-date or incorrect personal data that we hold about you (the right of rectification);
- the right to opt out of any marketing communications that we may send you and to object to us using / holding your personal data if we have no legitimate reasons to do so (the right to object);
- the right (in certain circumstances) to ask us to 'restrict processing of data'; which means that we would need to secure and retain the data for your benefit but not otherwise use it (the right to restrict processing); and
- the right (in certain circumstances) to ask us to supply you with some of the personal data we hold about you in a structured machine-readable format and/or to provide a copy of the data in such a format to another organisation (the right to data portability).

If you wish to exercise any of the above rights, please contact us using the contact details set out below.

## 10 Complaints and how to contact us

If you have any complaints about the way we use your personal information, have any questions or want more details about how we use your personal data, please let us know.

You can contact us via;

Email: [enquiries@bellingram.co.uk](mailto:enquiries@bellingram.co.uk)  
Tel: 01738 621121

You also have the right to complain to the Information Commissioner's office. You can use the relevant section of the Information Commissioner's Office [website](#) to do this.

## 11 Changes to this Privacy Policy

This Privacy Policy was last updated in May 2018 (Rev 1)