

CLIENT PRIVACY NOTICE

1. Bannister Bates Property Lawyers is the trading name of Bannister Bates Limited of 18-22 Northumberland Street Morecambe LA4 4AX. This privacy policy explains how we use any personal information we collect about you during your transaction. When we use your personal data we are regulated by the General Data Protection Regulation (GDPR) and we are responsible as 'controller' of that personal data for GDPR. Our use of your personal data is subject to your instructions, GDPR, other relevant UK & EU legislation and our duty of confidentiality to you.

Topics

- What information do we collect about you
- How we will use the information about you
- Access to your information and correction
- Changes to our privacy policy
- Retention of your information
- How to contact us

2. **What information do we collect about you.**

We collect personal information about you when you instruct us to act on your behalf in relation to a property transaction mostly from you but also from third parties such as estate agents, mortgage lenders and brokers and other financial institutions, search providers such as Searchflow and HMLR, Companies House, Credit reference agencies and solicitors acting on the other side of a transaction, housing associations, your bank and other financial institutions, insurers, landlords and management companies.

We also collect personal information from you when you complete identity check forms and proof of source of funds forms to enable us to proceed with your transaction (such as your name, address, telephone number, email address, passport or driving licence details).

By sharing information with companies/organisations listed above it will enable us to proceed with your transaction.

3. **How we will use the information about you.**

We collect information about you solely for the explicit and legitimate purpose of dealing with your sale or purchase to progress this transaction to completion. If you do not provide the personal data we ask for, it may prevent or delay us from providing services to you.

We will not use the information about you for marketing/profiling purposes or marketing/profiling purposes with other companies.

In proceeding with your transaction we will/may send your personal details to and also use information received from credit reference agencies and fraud prevention agencies, insurance intermediaries and other organisations detailed in paragraphs 2 above.

For example we will use your personal data in the following circumstances:-

- (i) We are required by law to obtain formal evidence of your identity for Customer Due Diligence requirements and as such we will undertake an electronic search with Searchflow or other search provider for the purpose of verifying your identity.
- (ii) We will also undertake a bankruptcy search with H M Land Registry against you where you are buying a property.
- (iii) We will supply your data to the lawyers acting on the other side of a transaction to incorporate your data into contract documentation for the purposes of the transaction we are instructed on
- (iv) We may receive and send your data to estate agents involved in your transaction in order to process it more quickly
- (v) We will supply your data to mortgage lenders/Help to Buy/Housing Associations for the purposes of obtaining mortgage redemption figures or shared ownership information or for the purposes of your mortgage advance/shared ownership documentation
- (vi) We will supply your data to any other financial institutions where required for the purposes of Help to Buy ISA in relation to a purchase or other funding/redemption issues.
- (vii) We may be required to obtain legal title indemnity insurance against the property you are selling or buying and if so we will supply your data to the insurance provider in order to issue the policy.
- (viii) We will supply your data to HM Land Registry for the registration of a purchase in the buyers name
- (ix) We will supply your data to freehold landlords or management companies where you are buying leasehold titles in order to register your ownership and on, a sale contract, such organisations for details of ground rents/maintenance charges in relation to the property you are selling
- (x) On a purchase we will supply your data to HMRC in relation to the payment of stamp duty if applicable on the property you have purchased as required by law.
- (xi) We may also be required by law to provide your data to third parties such as the National Crime Agency where a transaction involves possible money laundering or Terrorist Financing or the Information Commissioner's Office where a data protection breach arises or for the prevention or detection of crime, the apprehension or prosecution of offenders or the assessment or collection of tax or duty. Data which is required by law overrides an individual's consent or objection.
- (xii) Gathering or providing information required by our regulatory bodies that apply to our business or relating audit enquiries by our regulatory body.
- (xiii) Credit Reference Checks via External Credit reference agents for our legitimate interests to ensure you are likely to be able to pay for our service.

4. **Access to your Information and correction.**

You have a right to request a copy of the personal information that we hold about you. If you would like a copy of some or all of your personal information please write to us at our address stated in paragraph 1 above. For the purposes of the prevention of fraud we will only send this information by post (or if requested electronically) to your existing address or email address as stated in the terms of engagement letter/identity check document. We will respond to your request within 21 days of receipt.

You also have a right to request us to correct data held about you if incorrect. This request must be made in writing to us at our address stated in paragraph 1 above. We will respond to your request and amend our data accordingly on verification of authenticity of such request within 21 days of receipt of such request.

5. Right to request destruction of data or withdrawal consent to use data.

You have a right to request us to destroy the data we hold or withdraw your consent for us to use this data. Such a request must be in writing addressed to the Data Protection Lead, at the company, who will contact you to confirm destruction and/or non-use of personal data where consent is withdrawn within 21 days of receipt unless we are required to keep such data by law or for some other legitimate reason including the requirements of our regulatory body relating to the retention of your file.

6. Our website.

Our website does not contain links to other websites and our privacy policy only relates to this company. We do not use cookies.

7. Changes to our privacy policy.

We keep our privacy policy under regular review and we will notify you in writing or on our website of any updates. This privacy policy was last updated on 1st November 2018.

8. Retention of your information.

At the end of the transaction your file of papers and electronic file will be retained by us to comply with the Code of Practice of our regulatory body – the Council of Licensed Conveyancers for a minimum period of 6 years on a sale and 15 years on a purchase after which it will be confidentially destroyed. Your personal data is held securely at our office and those of third party agencies, service providers, representatives and agents as described above. We have appropriate security measures to prevent personal data from being accidentally lost or used or accessed unlawfully. Those processing your data will only do so 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.

9. How to contact us.

Please contact us if you have any questions about our privacy policy or information we hold about you in writing to:-

Mrs L Bates
Data Protection Lead
Bannister Bates Property Lawyers
18-22 Northumberland Street
Morecambe LA4 4AX

10. Right to complain to the Information Commissioners Office.

You have a right to complain to the Information Commissioners Office if you believe there is a problem with the way we are handling your data.

11. Your Declaration.

I understand the following:-

- You will use the information I have provided only to process my transaction.
- You may check some of the information provided for the purposes of identity and credit checks and with my mortgage lenders, estate agents, brokers, insurance intermediaries, search providers and solicitors acting on the other side of a transaction, my bank and other financial institutions in order to progress my transaction.
- You may also obtain information about me from certain other organisations or give information about me to them to make sure the information is accurate; prevent or detect crime and protect public funds.