



Wakefield
01924 291 294

Ossett
01924 266 555

Horbury
01924 260 022

Normanton
01924 899 870

Pontefract
01977 798 844

Castleford
01977 808 210

Privacy Policy – September 2023
Richard Kendall Estate Agent

Our contact details
Richard Kendall Estate Agent
66 Northgate, Wakefield, WF1 3AP
01924 291294
mail@richardkendall.co.uk

1. **Our Contact details**

Richard Kendall Estate Agent is committed to protecting and respecting your privacy. This Privacy Policy sets out the basis on which any personal data Richard Kendall Estate Agent Ltd collect from you, or that you provide to us, will be processed by us. The Information Commission Office (ICO) number of Richard Kendall Estate Agent is ZA022192.

Please read the following carefully to understand our views and practices regarding your personal data and how we will treat it. By visiting www.richardkendall.co.uk you are accepting and consenting to the practices described in this policy. The information shall be used in accordance with the permissions set by you and in accordance with the Data Protection Act 2018 (the Act).

For the purpose of the Act, the data controller is Richard Kendall Estate Agent Ltd of 66 Northgate, Wakefield WF1 3AP and our nominated representative is Claire Kendall and can be contacted in writing at DPO@richardkendall.co.uk or at the above address.

2. **What type of information do we collect and process?**

We currently collect and process the following information:

Personal identifiers, contacts and characteristics. These may include:

- **Identity Data:** Include first name, maiden name, last name, employment status, marital status, title, date of birth and gender, driving licence, passport and proof of address.
- **Contact Data:** includes home address (previous, current and forwarding), email address and telephone numbers.
- **Property Data:** includes type, number of rooms, locks, energy usage, easements, keys, utility meter information, services records, insurance documents and mortgage documents.
- **Financial Data:** includes bank account details.
- **Transaction Data:** includes internet protocol (IP) address, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access this website.
- **Usage Data:** includes information about how you use our website, products and services.
- **Marketing and Communications Data:** includes your preferences in receiving marketing from us and our third parties, and your communication preferences.

Data is also collected and used when you:

- a. Register a password-protected account,
- b. Fill in forms on our Website, third party websites and Portals which send information to us,
- c. Visit in person via our branch network,
- d. Via telephone calls, emails, live web chat, and social media

This information can include, but is not limited to, personal information (name, address, email address and telephone number); financial or employment information that you disclose when agreeing to register as an applicant or enter a transactional relationship with us.

2. Information required to help us ensure our staff are safe when attending external appointments such as viewings and market appraisals; for example, contact details for the client or customer, including a residential address in the UK.

3. Information required to comply with legislation such as Right to Rent checks required under Section 22 of the Immigration Act 2014 if you are renting a property and The Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 (more commonly referred to as the Money Laundering Regulations 2017) which is a legal requirement for a number of our Services.

4. Information to enable us to tailor our marketing and communications to you, based on your personal preferences, such as the types of service you are looking for, the location of your search area, the budget you are willing to spend etc.

5. We may also ask you to complete surveys, either on our own Website or through a third-party provider, which we use for research purposes; although you do not have to respond to them.

6. When you visit to otherwise access our Website, details including but not limited to:-
- a. information about the device and browser (hereafter “Device”) you are using to access the Website e.g. type, version, operating system, etc.,
 - b. traffic data including the URL of the website that referred you to our website if applicable,
 - c. location data including geolocation (this can be explicitly controlled in your Device).
 - d. weblogs and other communication data,
 - e. the resources that you access including social media interaction.
 - f. your IP (Internet Protocol) address,
 - g. the date and time of the visit and how long you remained on our Website,
 - h. the pages visited on our Website and interactions performed.

Cookies

Our website uses cookies to distinguish you from other users of our website. This helps us to provide you with a good experience when you browse our website and also allows us to improve our site. A cookie is a small file which asks permission to be placed on your computer’s hard drive. Once you agree, the file is added and the cookie helps analyse web traffic or lets you know when you visit a particular site. Cookies allow web applications to respond to you as an individual. The web application can tailor its operations to your needs, likes and dislikes by gathering and remembering information about your preferences. We use traffic cookies to identify which pages are being used. This helps us analysed data about web page traffic and improve our website in order to tailor it to customer needs. We only use this information for statistical analysis purposes and then the data is removed from the system. Overall, cookies help us provide you with a better website, by enabling us to monitor which pages you find useful and which you do not. A cookie in no way gives us access to your computer or any information about you, other than the data you choose to share with us.

You can choose to accept or decline cookies. Most web browsers automatically accept cookies, but you can usually modify your browsers setting to decline cookies if you prefer. This may prevent you from taking full advantage of the website.

How we collect your Personal Data:

We collect information in the following ways:

- In person via our branch office network,
- By telephone,
- By post,
- By SMS,
- By email,
- Live web chat,
- Social media such as Facebook, Instagram and Twitter,
- Via our Website,
- Via third party websites
- Via property portals

Why do we have this information and what do we use it for?

Improving our products and services: we will use your personal information to understand your requirements and to personalise the properties and services we offer you. We process your personal information in this way as it is necessary for the purposes of your legitimate interests in providing better products and services for you.

Processing your transaction: we use relevant personal information described above (including your name, address and financial details) to enable us to complete a transaction with you when you are using any of our services. This information may require to be passed on to third parties, including but not limited to solicitors, surveyors, financial advisors etc.

Preventing fraud: we will also use your personal information to assess your creditworthiness (in the case of buying or renting a property) and to prevent fraud. For this purposes, we may need to share your personal information with our referenced providers and/or solicitors. This is necessary for the purposes of our legitimate interests in ensuring we are not the victim of fraud and to protect our legal rights.

To provide customer support: if you contact our team (or vice versa), we will use personal information such as your email address, phone number and residential address as well as your contact history to process your request and provide you with the best service possible. We will process your personal information in this way if it necessary for the performance of a contract or if it is required for us to comply with any legal obligations. If it is not necessary to process your personal data for either of these reasons, we will process it as it is necessary for the purposes of our legitimate interests in ensuring we can provide the best service possible.

Marketing: When you register your details with us for any of our services, or enter in to a transaction with us, provide feedback on our service online or use our Website; we will use your

personal information to send you relevant and proportionate marketing communications about our properties, services, and third-party providers.

You have the right to ask us not to process your personal data for marketing purposes, to alter your preferences for the type of marketing content you receive (such as properties for sale, information about related services etc) or to alter the methods via which you receive marketing correspondence from us (i.e. via email, text, post or phone call).

You can ask us or third parties to stop sending you marketing messages at anytime by following the opt-out links on many marketing message sent to you or by contacting us.

Who do we share it with?

We treat your personal information with care and confidentiality and do not share it with third parties other than as set out below:

With Service Providers

Where required we may share limited personal information you provide when you register with us or enter in to a transaction with us, as necessary and only for the purposes and on the lawful grounds described above with various third parties who process your personal information on our behalf (Data Processors), such as;

Lettings

Including but not limited to tenant referencing agencies, other estate agents or landlords, contractors and property maintenance services, gas and electrical contractors, utility companies and insurance providers.

Sales

Including but not limited to Solicitors/Conveyancers, Surveyors, Financial/Mortgage advisors, other estate agents in a chain, Developers where a purchase is agreed, contractors and property maintenance services.

Software and system providers including but not limited to:

BriefYourMarket, Alto Software, Sage, Iam-Sold,

Website Hosts and analytics platform providers including but not limited to:

BriefYourMarket, Google Analytics

We require that these service providers and other third parties adhere to strict rules when processing your personal information, including to only use your personal information in accordance with our specific instructions (such as for the purposes of completing referencing or contacting you to arrange access to carry out necessary repairs) and the applicable laws.

We may disclose your personal information to third parties

- In the event that we sell or buy any business or assets, in which case we will disclose your personal data to the prospective seller or buyer of such business or assets.
- If Richard Kendall Estate Agent Limited or substantially all of its assets are acquired by a third party, in which case personal data held by it about its customers will be one of the transferred assets.
- 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 use and other agreements; or to protect the rights, property, or safety of Richard Kendall Estate Agent Ltd, our clients, or others. This includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction.
- Our site may from time to time contain links to and from the websites of our partner networks, advertisers and affiliates. If you follow a link to any of these websites, please be aware that these have their own privacy policies and that we do not accept any responsibility or liability for these policies. Please check these policies before submitting information to these websites.

- We will not sell or provide your information to third parties other than to information processors with whom we have written contracts which require the information processors to comply in all respects with the requirements of this Privacy Policy and all legal requirements relating to information privacy.

How long do we store your information and where is it kept?

The length of time we hold your information for will vary dependent on lawful basis for collection and processing the data.

We will hold data supplied where there is a legitimate interest in doing so (such as where a client or customer has registered with us, expressing an interest in any of our Services such as buying, selling, letting or renting a property through us) for a period of 7 years.

Richard Kendall Estate Agent Ltds policy commitment is applicable to all of our customers, including vendors, buyers, landlords and tenants. As a result we obtain and hold for a period of at least seven years evidence pertaining to our customers' identity and, where appropriate, we obtain proof of ownership of property and source/destination of funds. We will be unable to proceed with any work on behalf of our customers if we are unable to obtain this information. Customers' identity will be subject to an electronic identity check, which may also include a credit check.

For a list of acceptable identity documents that we require please click [here](#)
Richard Kendall Estate Agent Ltd is registered and supervised by HM Revenue & Customs for compliance with the Money Laundering Regulations 2017.

Where a transaction has been entered in to and there is a contractual necessity to do so, or where there is a requirement to comply with legal obligations (for example in order to comply with the requirement of the TPO Codes Of Practice, both for Sales and Lettings Agents, to maintain clear and full written records of transactions for a period of six years and to comply with the Money Laundering Regulations 2017 requirement to hold records for a period of 5 years, Proceeds of Crime Act 2002, the Bribery Act 2010 and the Terrorist Act 2002.

If you have an Account on our Website and it has been deemed dormant then we may delete the Account and all personal information "tied to" or "held against" it. We consider an Account to be dormant if one of the following conditions is met:

- It has not been accessed by you for more than 5 years (7max),
- If you have not responded to any emails sent to the registered email address,
- If we receive email delivery failure notifications in response to any email sent to the registered email address,
- The Account is in breach of our Terms of Use.

STORAGE

All information you provide to us is stored in the UK on our secure servers and all paper-based information is also securely stores in the UK.

By submitting your personal data to us, you agree to this transfer, storing or processing.

Your data protection rights

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 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 information in certain circumstances.

Your right to object to processing – You have the right to object to the processing of your personal data in certain circumstances.

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

You have the right to ask us not to process your personal data for marketing purposes, to alter your preferences for the type of marketing content you receive (such as properties for sale, information about related services etc) or to alter the methods via which you receive marketing correspondence from us (i.e. via email, text, post or phone call).

You can ask us or third parties to stop sending you marketing messages at any time by following the opt-out links on any marketing message sent to you or by contacting us at any time.

Our Website may, from time to time, contain links to and from the websites of our partners and third-party service providers. If you follow a link to any of these websites, please note that these websites may have their own privacy policies and that we do not accept any responsibility or liability for these policies. Please check these policies before you submit any personal data to these websites. Use of third-party websites is at your own risk.

You have the right to request a copy of the information we have for you, known as a 'Subject Access Request'.

All requests should be made in writing to:

Claire Kendall, Richard Kendall Estate Agent, 66 Northgate, Wakefield, WF1 3AP

Updates to our policy

We review our privacy statement in order to ensure that it is free of errors and clearly visible on our Website, that it contains appropriate information about your rights and our processing activities, and that it is implemented and is compliant with applicable law. If we make significant changes to this privacy statement, we will inform you by posting a notification on our websites along with an updated version of the privacy statement.

How to make an official complaint to the ICO

You can 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

Contact

If you have any questions, comments or requests regarding this privacy policy these should be addressed to;

Data Protection Office (DPO)
Richard Kendall Estate Agent
66 Northgate
Wakefield
WF1 3AP

Or email: DPO@richardkendall.co.uk

