

DATA SECURITY AND PROTECTION POLICY FOR HUTTON MOUNT LTD

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Information Commissioners Office (ICO): The UK's independent authority set up to uphold information rights in the public interest, promoting openness by public bodies and data privacy for individuals. Contact ICO on 0303 123 1113 or at www.ico.org.uk

Introduction

Hutton Mount Ltd has appointed a Data Controller to oversee compliance with this privacy notice. If you have any questions about this privacy notice or about how the Estate Surveyor handles your personal information, please contact them directly using the details above. The Estate Surveyor collects and processes personal information, or personal data, relating to Hutton Mount Residents to manage the working relationship. This personal information is held by the Estate Surveyor on paper and in electronic format.

Hutton Mount Ltd is committed to being transparent about how it handles residents' personal information, to protecting the privacy and security of residents' personal information and to meeting its data protection obligations under the General Data Protection Regulation ("GDPR") and the Data Protection Act 2018. The purpose of this privacy notice is to make Hutton Mount residents aware of how and why the Estate Surveyor will collect and use residents' personal information both during and after your property ownership at Hutton Mount. Hutton Mount Ltd are required under the GDPR to notify residents of the information contained in this privacy notice.

This privacy notice applies to all Hutton Mount Ltd residents. It is non-contractual and does not form part of any Hutton Mount Ltd contract, agreement, or any other contract for services.

Data protection principles

Under the GDPR, there are six data protection principles with which Hutton Mount Ltd must comply. These provide that the personal information held about residents must be:

1. Processed lawfully, fairly and in a transparent manner.
2. Collected only for legitimate purposes that have been clearly explained to you and not further processed in a way that is incompatible with those purposes.
3. Adequate, relevant and limited to what is necessary in relation to those purposes.
4. Accurate and, where necessary, kept up to date.
5. Kept in a form which permits your identification for no longer than is necessary for those purposes.
6. Processed in a way that ensures appropriate security of the data.

Hutton Mount Ltd is responsible for, and must be able to demonstrate compliance with, these principles. This is called accountability.

What types of personal information do the Estate Surveyor collect about Hutton Mount Ltd residents?

Personal information is any information about an individual from which that person can be directly or indirectly identified. It does not include anonymised data, i.e. where all identifying particulars have been removed.

The Estate Surveyor collects, uses and processes a range of personal information. This may include (as applicable):

- residents contact details, including your name, address, telephone number and personal e-mail address
- the terms and conditions of your resident's agreement, for levy payments
- photographs of property

How do the Estate Surveyor collect Hutton Mount Ltd residents personal information?

The Estate Surveyor may collect personal information about Hutton Mount Ltd residents in a variety of ways. It is collected during the sale or purchase process of a property on Hutton Mount, either directly from you or sometimes from a third party such as a solicitor or accountant.

We may also collect additional personal information throughout the period of your residency on Hutton Mount. Whilst some of the personal information you provide to us is mandatory and/or is a statutory or contractual requirement, some of it you may be asked to provide to us on a voluntary basis. We will inform you whether you are required to provide certain personal information to us or if you have a choice in this.

Hutton Mount Ltd residents' personal information may be stored in different places, including in your property file, in Hutton Mount Ltd's management system and in other IT systems, such as the e-mail system.

Why and how does the Estate Surveyor use residents personal information?

The Estate Surveyor will only use residents' personal information when the law allows them to. These are known as the legal bases for processing. The Estate Surveyor will use your personal information in one or more of the following circumstances:

- where the Estate Surveyor needs to do so to request levy payments, approve building works or works to a property, dealing with covenants or legal issues, issue share certificates, advise on Annual General Meeting etc or other issues on the Hutton Mount Estate.
- where Hutton Mount Ltd need to comply with a legal obligation
- where it is necessary for Hutton Mount Ltd's legitimate interests (or those of a third party), and the residents interests or your fundamental rights and freedoms do not override Hutton Mount Ltd's interests.

The Estate Surveyor may also occasionally use residents' personal information where Hutton Mount Ltd need to protect your vital interests (or someone else's vital interests).

The Estate Surveyor needs residents' personal information primarily to enable us to perform our service management with Hutton Mount Ltd and to enable us to comply with legal obligations. In some cases, the Estate Surveyor may also use residents' personal information where it is necessary to pursue legitimate interests (or those of a third party), provided that residents interests or residents' fundamental rights and freedoms do not override Hutton Mount Ltd interests. Our legitimate interests include: performing or exercising our obligations or rights under the direct relationship that exists between Hutton Mount Ltd and residents; pursuing our business need to manage the Hutton Mount Estate; performing effective internal administration and ensuring the smooth running of the Estate; ensuring the security and effective operation of our systems and network; protecting confidential information; and conducting any necessary due diligence. Hutton Mount Ltd believe that the residents of Hutton Mount have a reasonable expectation that the Estate Surveyor will process residents' personal information.

The purposes for which the Estate Surveyor are processing, or will process, residents' personal information are to:

- enable us to maintain accurate and up-to-date records and contact details
- comply with statutory and/or regulatory requirements and obligations
- maintain an accurate record of your property and any specific engagement terms
- ensure compliance with your statutory and contractual rights
- ensure levy payments are paid correctly

- prevent fraud
- monitor use of our IT systems to ensure compliance with our IT-related policies
- ensure network and information security and prevent unauthorised access and modifications to systems
- ensure effective HR, personnel management and business administration, including accounting and auditing
- ensure adherence to Company rules, policies and procedures
- enable us to establish, exercise or defend possible legal claims

Please note that we may process residents' personal information without consent, in compliance with these rules, where this is required or permitted by law.

What if residents fail to provide personal information?

If residents fail to provide certain personal information when requested or required, we may not be able to perform the service we have entered into, or we may be prevented from complying with our legal obligations. Residents may also be unable to exercise their statutory or contractual rights.

Change of purpose

The Estate Surveyor will only use residents' personal information for the purposes for which it was collected. If the Estate Surveyor needs to use residents' personal information for a purpose other than that for which it was collected, the Estate Surveyor will provide residents, prior to that further processing, with information about the new purpose, the Estate Surveyor will explain the legal basis which allows the Company to process residents' personal information for the new purpose and the Estate Surveyor will provide residents with any relevant further information. The Estate Surveyor may also issue a new privacy notice to residents.

Who has access to residents' personal information?

Residents' personal information may be shared internally within the Company (M P Architects LLP), including the Director, members of the administration department, and IT staff if access to residents' personal information is necessary for the performance of their roles.

The Estate Surveyor may also share residents' personal information with third-party service providers (and their designated agents), including:

- Hutton Mount Ltd Directors
- HR and employment law providers
- Hutton Mount Ltd Accountants
- Hutton Mount Ltd Insurers
- External IT services
- External auditors
- Professional advisers, such as lawyers

The Estate Surveyor may also share residents' personal information with other third parties in the context of a potential sale or restructuring of some or all of the Estate. In those circumstances, residents' personal information will be subject to confidentiality undertakings.

The Estate Surveyor may also need to share residents' personal information with a regulator or to otherwise comply with the law.

The Estate Surveyor may share residents' personal information with third parties where it is necessary to administer the contract we have entered into with you, where we need to comply with a legal obligation, or where it is necessary for our legitimate interests (or those of a third party).

How does the Estate Surveyor protect residents' personal information?

The Estate Surveyor has put in place measures to protect the security of residents' personal information. The Company has internal policies, procedures and controls in place to prevent residents' personal information from being accidentally lost or destroyed, altered, disclosed, accessed or misappropriated in any

unauthorised way. In addition, the Estate Surveyor limits access to residents' personal information to those employees and other third parties who have a legitimate business 'need to know' in order to perform their duties and responsibilities. You can obtain further information about these measures from the Data Controller.

Where residents' personal information is shared with third-party service providers, the Estate Surveyor requires all third parties to take appropriate technical and organisational security measures to protect residents' personal information and to treat it subject to a duty of confidentiality and in accordance with data protection law. The Estate Surveyor is only allowed to process residents' personal information for specified purposes and in accordance with our written instructions and we do not allow anyone to use residents' personal information for their own purposes.

The Estate Surveyor also has in place procedures to deal with a suspected data security breach and the Company will notify the Information Commissioner's Office (or any other applicable supervisory authority or regulator) and Hutton Mount Ltd of a suspected breach where the Company are legally required to do so.

For how long does the Estate Surveyor keep residents personal information?

The Estate Surveyor will only retain residents' personal information for as long as is necessary to fulfil the purposes for which it was collected and processed, including for the purposes of satisfying any legal, tax, health and safety, reporting or accounting requirements.

The Estate Surveyor will generally hold your personal information for the duration of your ownership of property or engagement at Hutton Mount.

Once residents have sold their property, the Estate Surveyor will generally hold residents personal information for three years after living at the property, but this is subject to: (a) any minimum statutory or other legal, tax, health and safety, reporting or accounting requirements for particular data or records, and (b) the retention of some types of personal information for up to six years to protect against legal risk, e.g. if they could be relevant to a possible legal claim in a tribunal, County Court or High Court. Overall, this means that the Estate Surveyor will "thin" the file of personal information that is held on residents one year after the sale of your property or engagement, so that the Estate Surveyor only continue to retain for a longer period that is strictly necessary.

Personal information which is no longer to be retained will be securely and effectively destroyed or permanently erased from the IT systems and paper records and the Estate Surveyor will also require third parties to destroy or erase such personal information where applicable.

In some circumstances, the Estate Surveyor may anonymise residents' personal information so that it no longer permits residents' identification. In this case, the Estate Surveyor may retain such information for a longer period.

Your rights in connection with your personal information

It is important that the personal information we hold about residents' is accurate and up to date. Please keep the Estate Surveyor informed if your personal information changes, e.g. you change your contact telephone number, during your property ownership at Hutton Mount so that records can be updated. The Estate Surveyor cannot be held responsible for any errors in residents' personal information in this regard unless relevant notifications of the change has been made.

As a data subject, residents have a number of statutory rights. Subject to certain conditions, and in certain circumstances, you have the right to:

- request access to your personal information - this is usually known as making a data subject access request and it enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it
- request rectification of your personal information - this enables you to have any inaccurate or incomplete

- personal information we hold about you corrected
- request the erasure of your personal information - this enables you to ask us to delete or remove your personal information where there is no compelling reason for its continued processing, e.g. it is no longer necessary in relation to the purpose for which it was originally collected
 - restrict the processing of your personal information - this enables you to ask the Estate Surveyor to suspend the processing of your personal information, e.g. if you contest its accuracy and so want us to verify its accuracy
 - object to the processing of your personal information - this enables you to ask us to stop processing your personal information where we are relying on the legitimate interests of the business as our legal basis for processing and there is something relating to your particular situation which makes you decide to object to processing on this ground
 - data portability - this gives you the right to request the transfer of your personal information to another party so that you can reuse it across different services for your own purposes.

If you wish to exercise any of these rights, please contact the Data Controller who will get you to complete a form requesting to exercise this right. We may need to request specific information from you in order to verify your identity and check your right to access the personal information or to exercise any of your other rights. This is a security measure to ensure that your personal information is not disclosed to any person who has no right to receive it.

In the limited circumstances where you have provided your consent to the processing of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. This will not, however, affect the lawfulness of processing based on your consent before its withdrawal. If you wish to withdraw your consent, please contact the Data Controller. Once we have received notification that you have withdrawn your consent, we will no longer process your personal information for the purpose you originally agreed to, unless we have another legal basis for processing.

If you believe that Hutton Mount Ltd has not complied with your data protection rights, you have the right to make a complaint to the Information Commissioner's Office (ICO) at any time. The ICO is the UK supervisory authority for data protection issues.

Transferring personal information outside the European Economic Area

The Company will not transfer residents' personal information to countries outside the European Economic Area.

Automated decision making

Automated decision making occurs when an electronic system uses residents' personal information to make a decision without human intervention.

Hutton Mount Ltd do not use automated decision making, including profiling. However, we will notify you in writing if this position changes.

Changes to this privacy notice

Hutton Mount Ltd reserves the right to update or amend this privacy notice at any time, including where Hutton Mount Ltd intends to further process residents' personal information for a purpose other than that for which the personal information was collected or where we intend to process new types of personal information. Hutton Mount Ltd will issue residents with a new privacy notice when the Estate Surveyor make significant updates or amendments. We may also notify residents about the processing of your personal information in other ways.

Contact

If you have any questions about this privacy notice or how we handle residents' personal information, please contact the Data Controller, details of which can be found at the top of this policy.

WEBSITE PRIVACY AND COOKIES POLICY

This privacy policy tells you about the information we collect from you when you use our website.

In collecting this information, we are acting as a data controller and, by law, we are required to provide you with information about us, about why and how we use your data, and about the rights you have over your data.

Who are we?

We are M P Chartered Architects . Our address is Great Basons, Basons Lane, Ongar Essex CM5 9AR. You can contact us by post at the above address, by email at hml@mparchitects.co.uk or by telephone on 01277 364979.

The contact details of our Data Protection Officer is Claudia Gregory at the above address.

Our privacy promise

We take your privacy very seriously and we respect your privacy and data protection rights. This privacy notice aims to give you information on how we collect and process your personal data through your use of our website and our services, including any data you may provide through our websites.

How we use your information

When you use the Hutton Mount Estate website

When you use the Hutton Mount Estate website to view the information available, a number of cookies are used by us and by third parties to allow the website to function, to collect useful information about visitors and to help to make your user experience better.

Some of the cookies we use are strictly necessary for our website to function, and we don't ask for your consent to place these on your computer. If you do not agree with our use of cookies you are welcome to leave the website.

Cookies

This website uses cookies. A cookie is a small text file stored in your computer containing text data. We use cookies for certain functions to improve the usability of the website. These cookies do not contain any personal information about you. However, enabling cookies in your web browser is necessary if you wish your selections to be remembered for future visits on the same computer. You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. For more information about cookies and instructions on how to adjust your browser settings to restrict or disable cookies, see the IAB website at www.allaboutcookies.org. If you disable or refuse cookies, please note that some parts of this website may become inaccessible or not function properly.

What personal data do we collect when you submit an enquiry via the Hutton Mount Estate

When you submit an enquiry via our website, we ask you for your name and email address. You may also give additional information such as your telephone number and your address along with a brief description of your enquiry.

We use this information to respond to your enquiry, including providing you with any requested information regarding Hutton Mount. We will do this based on our legitimate interest in providing accurate information to your request and need.

Why do we collect this information?

We will use your information to respond to your enquiry and hopefully to provide you with the information you need.

What do we do with your information?

Your enquiry is stored and processed in a folder both in a paper file and electronically. This information can be accessed within our office (address above) by our admin (and architectural) staff.