

Privacy Policy

This privacy notice explains what personal data (information) we hold about you, how we collect it, and how we use and may share information about you during our management of the development of which you own a property and after it ends. We are required to notify you of this information under the General Data Protection Regulation (GDPR).

Please ensure you read this notice (sometimes referred to as a “privacy notice”) and any other similar notice we may provide to you from time to time when we collect or process personal information about you. This privacy notice contains important information on who we are, how and why we collect, store, use and share personal information, your rights in relation to your personal information and on how to contact us and supervisory authorities in the event you have a complaint on how we handle your data. who we are Mcilroy Smith Ltd collects, uses and is responsible for certain personal information about you.

When we do so we are regulated under the GDPR which applies across the European Union (including in the United Kingdom) and we are responsible as ‘controller’ of that personal information for the purposes of those laws.

In this privacy notice, references to “we” or “us” means Mcilroy Smith Ltd, a company registered in England & Wales (company registration number 11073304).

We are registered with the Information Commissioner’s Office (ICO) in the United Kingdom under registration number A8388997.

data protection principles

We will comply with the data protection principles when gathering and using personal information, as set out in our GDPR data protection policy.

the personal information we collect and use

In the course of conducting our day-to-day business we collect the following personal information when you provide it to us:

- Name, contact address, telephone number, email address, emergency contact name and telephone number and your IP address.
- Dependent on the services we provide you, specifically, we may also collect your date of birth, details of any medical conditions, your next of kin details and your car registration number. In certain instances we may also collect your date of birth, occupation and nationality when liaising with external agencies such as Companies House or HM Revenue & Customs (HMRC).

The provision of the above personal data is required from you to enable us to perform our contractual duties to our client(s).

information collected from other sources:

We also obtain personal information from other sources as follows:

- Solicitors.
- Land registry.
- Previous service providers when we are appointed to act in their place.

how we use your personal information

We will typically collect and use this information for the following purposes:

- For the performance of a contract you have with us or our client(s) and pursuant to which we are appointed as their agent.
- For the purposes of our legitimate interests or those of a third party, but only if these are not overridden by your interests, rights or freedoms.

We seek to ensure that our information collection and processing is always proportionate. We will notify you of any material changes to information we collect or to the purposes for which we collect and process it.

who we share your information with

We routinely share the following categories of personal data:

- Name, address, telephone number, email address, car registration number.

This personal information may be shared with the following categories of recipients:

- Solicitors, debt collectors, contractors, insurers, insurance broker, Resident Management Company/Right to Manage Company Directors, the freeholder of the development, auditors, any onsite staff, courts/tribunals, a new agent if appointed, legal authorities such as the police, your mortgage lender, parking patrol companies, Companies House.

This data sharing enables us to perform our contract with our client(s).

Some of those third-party recipients may be based outside the European Economic Area, but we undertake to ensure that, by using best endeavours, your data is sufficiently protected if so.

We will share personal information with law enforcement or other authorities if required by applicable law.

We will not share your personal information with, or sell it to any other third party.

where your personal information may be held

Information may be held at our offices and those of our group companies, and third-party agencies, service providers, representatives and agents as described above.

We have security measures in place to seek to ensure that there is appropriate security for information we hold, including those measures detailed in our GDPR data protection policy and for a defined period after a data subject ceases to be connected to us.

how long your personal information will be kept

We will hold your personal data for as long as you are connected to us and 12 years after you cease to be connected to us. This is in line with the limitation periods for taking legal action on some matters and in line with RICS guidelines.

reasons we can collect your personal information

We rely on contract as the lawful basis on which we collect and use your personal data.

We will not contact you for marketing purposes without your previous consent.
your rights

Under the General Data Protection Regulation you have a number of important rights free of charge. In summary, those include rights to:

- fair processing of information and transparency over how we use your personal information
- access to your personal information and to certain other supplementary information that this Privacy Notice is already designed to address
- require us to correct any mistakes in your information which we hold
- require the erasure of personal information concerning you in certain situations
- receive the personal information concerning you which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit those data to a third party in certain situations
- object at any time to processing of personal information concerning you for direct marketing
- object to decisions being taken by automated means which produce legal effects concerning you or similarly significantly affect you
- object in certain other situations to our continued processing of your personal information
- otherwise restrict our processing of your personal information in certain circumstances
- claim compensation for damages caused by our breach of any data protection laws

For further information on each of those rights, including the circumstances in which they apply, see the Guidance from the UK Information Commissioner's Office (ICO) on individuals rights under the General Data Protection Regulation.

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

- Email hello@mcilroysmith.com or
- call +44 (0)1275 866445 or
- write to us at Quays Office Park, Conference Avenue, Portishead, Bristol BS20 7LF, United Kingdom

In doing so, please

- provide us with enough information to identify you e.g. full name and address
- provide us with proof of your identity and address e.g. a copy of your driving licence or passport and a recent utility or credit card bill, and
- provide the information to which your request relates, including any account or reference numbers, if you have them keeping your personal information secure

We have appropriate security measures in place to prevent personal information from being accidentally lost or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know 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.

how to complain

We hope that we can resolve any query or concern you raise about our use of your information. However should you wish to make a complaint, please contact us for a copy of our formal complaints procedure.

The General Data Protection Regulation also gives you the right to lodge a complaint with a supervisory authority, in particular in the European Union (or European Economic Area) 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 by telephone: 0303 123 1113.

changes to this privacy notice

This privacy notice was published on 1 August 2018 and last updated on 11th June 2019 due to a change in address.

We may change this privacy notice from time to time, and when we do we will inform you.