

## Privacy Policy

At Bothams, we're committed to respecting and protecting your privacy.

This Privacy Policy explains when and why we collect personal information about our website visitors, customers and people who contact or interact with us, how we use it, the conditions under which we may disclose it to others and how we keep it secure.

If you do not want us to process your personal information as described in this Privacy Policy, please do not provide information to Bothams or use our website [www.bothams.co.uk](http://www.bothams.co.uk).

Bothams has a Data Protection Officer who is responsible for matters relating to privacy and data protection. The Data Protection Officer can be reached at [andrew.terry@bothams.co.uk](mailto:andrew.terry@bothams.co.uk) or via post addressed to Andrew Terry, Bothams, Ravenside House, 46 Park Road, Chesterfield, S40 1XZ.

### **About Bothams**

Bothams is a firm of Estate, Letting and Management Agents, Valuers and Chartered Surveyors trading as a partnership.

### **How do we collect personal information about you?**

We obtain personal information about you that you provide to us through our website, emails, phone conversations, documents you provide to us or when you visit our office, for example when you:

- Enquire about specific properties for sale or for rent
- Ask us to value your property
- Register for our email newsletters
- Participate in one of our surveys
- Interact with us on our social media sites
- Register for our email newsletter or mailing list
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We also obtain personal information relating to you using automated technical means when you visit our website.

### **What type of personal information is collected?**

The information we collect from you might include (but is not limited to) your name, address, email address, phone number, date of birth and financial details and any other information you choose to provide to us.

The information we collect through our website using automated technical means includes: the Internet protocol (IP) address used to connect your computer to the Internet, your login information, browser type and version, time zone setting, browser plug-in types and versions, operating system and platform, identification number, online identifier and location data. We also collect information about your website visit including which website pages are accessed, page response times and length of visits to pages.

### **How long do we retain your personal information?**

We review our retention periods for personal data on a regular basis. We are legally required to hold some types of information for certain prescribed periods to fulfil our statutory obligations. Outside of specific statutory obligations, we will hold your personal data on our systems for as long as is necessary for the relevant purposes for which we use it, or in accordance with any retention periods set out in any relevant contract you hold with us.

In principle, your personal data shouldn't be held for longer than is required under the terms of our contract for services with you. However, we're subject to regulatory requirements to retain data for specified minimum periods, usually between 7 and 10 years. We also reserve the right to retain data for longer than this in order to be able to provide you with long term analyses, trends and reports or other business data and to allow us to assist you should you be subject to an HMRC enquiry or investigation.

You have the right to request deletion of your personal data. We'll comply with this request, subject to the restrictions of our regulatory obligations and legitimate interests as noted above.

### **How do we use your personal information?**

We may use the information that you directly provide to us in the following ways:

- We may use your name, telephone number, address and contact details for the purpose of carrying out our obligations arising from any contracts entered into by you and Bothams, such as providing you with products and services you have requested, visiting and arranging viewings of your property. Our legal basis for this use is that it is necessary for the performance of a contract to which you are party.

- We may use your name, email address and postal address to provide you with information you have requested from us, respond to enquiries or requests from you, communicate with you in relation to those enquiries or requests and arranging visits to your property by our staff or partners. Our legal basis for this use is our legitimate interests, namely carrying out activities in the course of Bothams' business in response to customer enquiries or requests.
- We may use your name, telephone number, email address and postal address to provide you with information regarding similar goods and services to those you have already enquired about or purchased. Our legal basis for this use is our legitimate interests, namely the ongoing marketing of our goods and services to individuals with whom we have an existing relationship in connection with our goods and services and/or who have expressed an interest in those goods and services.
- Where you have entered into a contract with us or we have provided you with services, we may use your name, email address, postal address or phone number to ask for your feedback about the services we have provided to you. Our legal basis for this use is our legitimate interests, namely evaluating and where necessary improving the quality of our service provision with a view to promoting the success of our business and positive customer relationships.
- Where you are a party to an existing contract with us or regularly enter into contracts with us for our goods and services, we may use your name, email address, postal address or phone number to notify you of changes to the terms and conditions of our services. Our legal basis for this use is our legitimate interests, namely the administration and management of our business contracts and relationships.
- We may use your name, telephone number, email address and postal address to send you marketing communications, if you have chosen to receive these. These may include information about properties for rent or for sale, the current property market, promotions or offers. Our legal basis for this use is consent.
- We may use your name, telephone number, email address and postal address to verify your identity where required. Our legal basis for this use is to meet our obligations to prevent fraud and money laundering.
- We may use the information that we automatically collect using technical means through our website to:
  - Administer our site and for troubleshooting, testing, research and statistical purposes. We use Google Analytics, a third-party website monitoring tool. Our legal basis for this is our legitimate interests, namely monitoring the use of our software and IT systems, improving our website.
  - Measure or understand the effectiveness of our own advertising activity. Our legal basis for this use is our legitimate interests, namely improving the relevancy of our advertising;

- Measure or understand the effectiveness of our marketing emails. Our software will let us know that you have read/ opened the email so we know it has been received. Our legal basis for this use is consent.

This automated collection of information may involve the use of cookies. Please see our Cookies Policy for further detail about these.

We may analyse the personal information we collect directly from you and obtain using automated technical means to create a profile of your interests and preferences so that we can contact you with information relevant to you (if you have chosen to receive marketing communications from us). We may make use of additional information about you when it is available from external sources to help us do this effectively. These sources include publicly accessible sources such as Land Registry documentation.

We may also use any of your personal information that we collect from you directly and additional information about you from external sources where necessary to detect and reduce fraud and credit risk. These sources include credit referencing agencies such as Rent4Sure and Experian which are sometimes publicly available, and other times require corporate membership. Our legal basis for this use of your personal information is our legitimate interests in preventing our business being subject to fraud or credit risk.

### **Who has access to information?**

We will not sell or rent your information to third parties.

We may pass your information to third party service providers, including but not limited to: Business partners, suppliers and sub-contractors working on our behalf for the purposes of completing tasks and providing services to you.

These are The Property Software Group who provide our agency database software, Focus Systems who provide our rental agency database software, SAGE who provide our accounting software and Middleton Finance who provide independent financial advice to our clients.

When we use third party service providers, we disclose only the personal information that is necessary to deliver the service and we have a contract in place that requires them to keep your information secure and otherwise use your information in accordance with applicable data protection law.

We may disclose your personal information to our insurers and /or professional advisers insofar as reasonably necessary for the purposes of obtaining and maintaining insurance coverage, managing risks, obtaining professional advice and managing legal disputes.

We may transfer your personal information to a third party as part of a sale of some or all of our business and assets, or as part of any business restructuring or reorganisation, or if we're under a duty to disclose or share your personal data in order to comply with any legal obligation or to enforce or apply our terms of use or to protect the rights, property or safety of our customers. However, we will take steps with the aim of ensuring that your privacy rights continue to be protected.

In addition to the specific disclosures set out in this section, we may disclose your personal information where such disclosure is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another natural person, or for the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative out-of-court procedure.

## Your rights

In this section we have summarised the rights that you have under data protection law. Some of the rights are complex, applying only in certain circumstances and subject to certain exceptions, and in the interests of keeping this policy concise, not all of the details have been included in our summaries. Accordingly, you should read the relevant laws and guidance from the regulatory authorities for a full explanation of these rights.

You have the right:

- To object to us processing your personal information for marketing purposes. If you object, we will stop processing your personal information for this purpose. When we collect your data, you can choose whether you wish to receive marketing communications from us. If you wish to stop receiving marketing communications, you can opt out at any time by clicking an 'unsubscribe' link at the bottom of one of our emails.
- To access the information we hold about you and certain information about our processing of it and your rights in relation to it.
- In certain circumstances, to obtain erasure of the personal information we hold about you, subject to certain exceptions.
- To rectification of the information we hold about you.
- In certain circumstances, to restrict our processing of your personal information or object to us processing it. If you object, we will stop processing your personal information unless certain exceptions apply.

- Where our legal basis for processing your personal information is your consent or the performance of a contract and we process it by automated means, to be provided with the personal information we hold about you in structured, commonly used and machine-readable format and to transmit the information to another controller.
- To not be subject to a decision based solely on automated processing, including profiling, that produces legal effects concerning you or similarly affecting you, subject to certain exceptions.
- Where our processing of your personal information is based on your consent, to withdraw that consent at any time. If you withdraw your consent, we will stop the relevant processing, but it will not affect the lawfulness of our processing before the withdrawal.

To exercise any of these rights, email us at [andrew.terry@bothams.co.uk](mailto:andrew.terry@bothams.co.uk) or write to us at Bothams, Ravenside House, 46 Park Road, Chesterfield, S40 1XZ for the attention of Andrew Terry. In addition, you can exercise your right to object to direct marketing at any time by clicking an 'unsubscribe' link at the bottom of one of our emails.

If you consider that our processing of your personal information infringes data protection laws, you have the right to lodge a complaint to a supervisory authority responsible for data protection. You may do this in the EU member state of your habitual residence, your place of work or the place of the alleged infringement. More information about lodging a complaint with the Information Commissioner's Office (the relevant UK supervisory authority) can be found at <https://ico.org.uk/concerns/>.

### **Security precautions in place to protect your information**

We take appropriate technical and organisational precautions to secure your personal information and prevent its loss, misuse or alteration. All information you provide to us is stored on our secure servers. Where we have given (or where you have chosen) a password which enables you to access certain parts of our websites, you are responsible for keeping this password confidential. We ask you not to share your password with anyone.

The transmission of unencrypted (or inadequately encrypted) data over the internet is inherently insecure, and for this reason we cannot guarantee the security of data sent between us over the internet.

### **Links to other websites**

Our website may contain links to other websites run by other organisations. We are not responsible for the privacy practices of those organisations or the content of their websites. You should read the privacy policies of these organisations before providing them with any personal information.

### **Review of this Policy**

We keep this Policy under regular review. This Policy was last updated on 12th May 2023. If we change our Privacy Policy we will post the changes on this page and may place notices on other sections of the website and/or notify you by email.

### **Further information**

You can obtain further information about data protection laws by visiting the Information Commissioner's Office website at [www.ico.org.uk](http://www.ico.org.uk).