

Privacy Notice

W-Y-P Gledhill is a trading name for Hestia Consultancy, a company registered in England and Wales with company number 4757863, whose registered address is at Grosvenor Park, York, North Yorkshire. In this privacy notice we will refer to ourselves as 'we', 'us' or 'our'.

You can get hold of us in any of the following ways:

- (a) by phoning us on 01904 593570
- (b) by e-mailing us at info@w-y-p.co.uk, or
- (c) by writing to us at W-Y-P Gledhill, Grosvenor Park, York, YO30 6BX

We take the privacy, including the security, of personal information we hold about you seriously. This privacy notice is designed to inform you about how we collect personal information about you and how we use that personal information. You should read this privacy notice carefully so that you know and can understand why and how we use the personal information we collect and hold about you.

We have appointed Toby Gledhill as our Data Protection Officer. You can contact them using the details set out above.

We may update this privacy notice from time to time. This version was last updated on 1st September 2022

1. Key Definitions

The key terms that we use throughout this privacy notice are defined below, for ease:

Data Controller: under UK data protection law, this is the organisation or person responsible for deciding how personal information is collected and stored and how it is used.

Data Processor: a Data Controller may appoint another organisation or person to carry out certain tasks in relation to the personal information on behalf of, and on the written instructions of, the Data Controller. (This might be the hosting of a site containing personal data, for example, or providing an email marketing service that facilitates mass distribution of marketing material to a Data Controller's customer-base.)

Personal Information: in this privacy notice we refer to your personal data as 'personal information'. 'Personal information' means any information from which a living individual can be identified. It does not apply to information which has been anonymised.

Special Information – certain very sensitive personal information requires extra protection under data protection law. Sensitive data includes information relating to health, racial and ethnic origin, political opinions, religious and similar beliefs, trade union membership, sex life and sexual orientation and also includes genetic information and biometric information.

2. Details of personal information which we collect and hold about you

2.1 Set out below are the general categories (and details of retention periods in relation to those categories - see section 8 below for more details about retention) and in each case the types of personal information which we collect, use and hold about you:

General Category	Types of Personal Data in that category	Retention Periods
Identity Information	This is information relating to your identity such as your name (including any previous names and any titles which you use). We would not normally collect other information such as your date of birth, but if these are provided then they will be treated in the same way.	Up to a maximum of seven years from the date of instruction.
Contact Information	This is information relating to your contact details such as e-mail address, addresses, telephone numbers	Up to a maximum of seven years from the date of instruction.
Payment Information	This is information relating to the method by which you provide payment to us such as bank account details and details of any payments (including amounts and dates) which are made between us.	Up to a maximum of seven years from the date of instruction.
Transaction Information	This is information relating to transactions between us such as details of the goods, services and/or digital content provided to you and any returns details.	Up to a maximum of seven years from the date of instruction.
Website, Device and Technical Information	This is information about your use of our website and technical data which we collect.	This information is not collected by us.
The reports/material provided as part of your commission	Typically these will include RICS Home Surveys, Valuations, Expert Witness reports, Party Wall Notices, etc.	Exactly seven years from the date of instruction.

2.2 Please note that the type of personal data we collect about you may differ from person to person, depending on who you are and the relationship between us.

3. Details about special information

3.1 We do not collect or hold any special information about you. These typically include:

- (a) [race;]
- (b) [ethnic origin;]
- (c) [politics;]
- (d) [religion;]
- (e) [trade union membership;]
- (f) [genetics;]
- (g) [biometrics;]
- (h) [health;]
- (i) [sex life;]
- (j) [sexual orientation.]

For point of note, where this information is volunteered by clients, it is either deleted/redacted or never recorded in the first instance.

3.2 We do not collect information from you relating to criminal convictions or offences.

4. Details of how and why we use personal information

4.1 We are only able to use your personal information for certain legal reasons set out in data protection law. There are legal reasons under data protection law other than those listed below, but in most cases, we will use your personal information for the following legal reasons:

- (a) **Contract Reason:** this is in order to perform our obligations to you under a contract we have entered into with you;
- (b) **Legitimate Interests Reason:** this is where the use of your personal information is necessary for our (or a third party's) legitimate interests, so long as that legitimate interest does not override your fundamental rights, freedoms or interests.
- (c) **Legal Obligation Reason:** this is where we have to use your personal information in order to perform a legal obligation by which we are bound; and
- (d) **Consent Reason:** this is where you have given us your consent to use your personal information for a specific reason or specific reasons.

4.2 So that we are able to provide you with our professional services, we will need some of your personal information. If you do not provide us with the required personal information, we may be prevented from supplying the services effectively, primarily because we may not be able to communicate with you.

- 4.3 It is important that you keep your personal information up to date. If any of your personal information changes then where relevant to us, please contact us as soon as possible to let us know.
- 4.4 Where we rely on consent for a specific purpose as the legal reason for processing your personal information, you have the right under data protection law to withdraw your consent at any time. If you do wish to withdraw your consent, please contact us using the details set out at the beginning of this notice. If we receive a request from you withdrawing your consent to a specific purpose, we will stop processing your personal information for that purpose, unless we have another legal reason for processing your personal information, in which case, we will confirm that reason to you.
- 4.5 We have explained below the different purposes for which we use your personal information and, in each case, the legal reason(s) allowing us to use your personal information. Please also note the following:
- (a) if we use the Legitimate Interests Reason as the legal reason for which we can use your personal information, we have also explained what that legitimate interest is; and
 - (b) for some of the purposes we may have listed more than one legal reason on which we can use your personal information, because the legal reason may be different in different circumstances. If you need confirmation of the specific legal reason that we are relying on to use your personal data for that purpose, please contact us using the contact details set out at the start of this privacy notice.

Purpose	Legal Reason(s) for using the personal information
To enrol you as a customer	Contract Reason.
To process your order, which includes taking payment from you, advising you of any updates in relation to your order or any enforcement action against you to recover payment.	Contract Reason. Legitimate Interests Reason (in order to recover money which you owe us)
To manage our contract with you and to notify you of any changes	Contract Reason. Legal Obligation Reason.
To comply with audit and accounting matters	Legal (or Professional) Obligation Reason
For record keeping (including in relation to any professional audit matters).	Contract Reason. Legal Obligation Reason.
To improve the services which we supply	Legitimate Interests Reason (in order to improve the goods, services, and/or digital

	content for future customers and to grow our business). This would be unusual, and we would first and explain the reasons and request your permission before using your information in this way.
To ensure the smooth running and correct operation of our website	Legitimate Interests Reason (to ensure our website runs correctly)

4.6 Sometimes we may anonymise personal information so that you can no longer be identified from it and use this for our own purposes. For example, prospective customers sometimes request example reports. Any name or address on these example reports would be fully and entirely redacted.

4.7 Under data protection laws we can only use your personal information for the purposes we have told you about, unless we consider that the new purpose is compatible with the purpose(s) which we told you about. If we want to use your personal information for a different purpose which we do not think is compatible with the purpose(s) which we told you about then we will contact you to explain this and what legal reason is in place to allow us to do this.

5. Details of how we collect personal information and special information

5.1 We collect identity information directly from you when you instruct us. The only payment information we collect is that relating to your payment to our company account, which our accountants, Minford Chartered Accountants of York, will process in the normal way.

5.2 We may receive some of your personal information from third parties or publicly available sources. This includes:

- (a) Contact and personal information from third parties regarding work-related instructions.
- (b) Contact and personal information from third parties in the form of recommendations from colleagues.

5.3 Contact information from third party websites with which we advertise our services from time to time, such as ReallyMoving, LocalSurveyorsDirect, or ThreeBestRated.

6. Details about who personal information may be shared with

6.1 We may need to share your personal information with other UK based organisations or people, who would also be bound by GDPR laws. These organisations include:

- (a) Other professional or contractor services where you have requested a referral.

- (b) Government bodies and regulatory bodies: such as HMRC or fraud prevention agencies.
- (c) Our advisors: such as solicitors, accountants, auditors, insurance companies

6.2 Depending on the circumstances, the organisations or people who we share your personal information with will be acting as either Data Processors or Data Controllers. Where we share your personal information with a Data Processor we will ensure that we have in place contracts, which set out the responsibilities and obligations of us and them, including in respect of security of personal information.

6.3 For point of note, we do not sell or trade any of the personal information which you provide to us.

7. **Details about transfers to countries outside of the EEA**

7.1 We will never transfer any personal information outside of the EEA.

8. **Details about how long we will hold your personal information**

8.1 We will only hold your personal data for as long as is necessary. For professional bodies, accountants and insurers, this is typically a period of seven years. How long is necessary will depend upon the purposes for which we collected the personal information (see section 4 above) and whether we are under any legal obligation to keep the personal information (such as in relation to accounting or auditing records or for tax reasons). We may also need to keep personal information in case of any legal claims, which would be handled by our insurers.

8.2 We have set out above the details of our retention periods for different types of data.

9. **Automated decision making**

9.1 'Automated decision making' is where a decision is automatically made without any human involvement. Under data protection laws, this includes profiling. For point of note, we do not carry out any profiling or automated decision making.

10. **IMPORTANT: YOUR RIGHTS UNDER DATA PROTECTION LAW**

10.1 Under data protection laws you have certain rights in relation to your personal information, as follows:

- (a) **Right to request access:** (this is often called 'subject access'). This is the right to obtain from us a copy of the personal information which we hold about you. We must also provide you with certain other information in response to these requests to help you understand how your personal information is being used.

- (b) **Right to correction:** this is the right to request that any incorrect personal data is corrected and that any incomplete personal data is completed.
- (c) **Right to erasure:** (this is often called the “right to be forgotten”). This right only applies in certain circumstances. Where it does apply, you have the right to request us to erase all of your personal information.
- (d) **Right to restrict processing:** this right only applies in certain circumstances. Where it does apply, you have the right to request us to restrict the processing of your personal information.
- (e) **Right to data portability:** this right allows you to request us to transfer your personal information to someone else.
- (f) **Right to object:** you have the right to object to us processing your personal information for direct marketing purposes. You also have the right to object to us processing personal information where our legal reason for doing so is the Legitimate Interests Reason (see section 4 above) and there is something about your particular situation which means that you want to object to us processing your personal information. In certain circumstances you have the right to object to processing where such processing consists of profiling (including profiling for direct marketing).

10.2 In addition to the rights set out in section 10.1, where we rely on consent as the legal reason for using your personal information, you have the right to withdraw your consent. Further details about this are set out in section 4.3.

10.3 If you want to exercise any of the above rights in relation to your personal information, please contact us using the details set out at the beginning of this notice. If you do make a request then please note:

- (a) we may need certain information from you so that we can verify your identity;
- (b) we do not charge a fee for exercising your rights unless your request is unfounded or excessive; and
- (c) if your request is unfounded or excessive then we may refuse to deal with your request.

11. Marketing

11.1 We do not carry out marketing per se, other than at third party websites and journals. This marketing would never involve the use of personal information, aside from those of W-Y-P Gledhill employees.

11.2 We do not pass your personal information on to any third parties for marketing purposes.

12. Complaints

If you are unhappy about the way that we have handled or used your personal information, you have the right to complain to the UK supervisory authority for data protection, which is the Information Commissioner's Office (**ICO**). Please do contact us in the first instance if you wish to raise any queries or make a complaint in respect of our handling or use of your personal information, so that we have the opportunity to discuss this with you and to take steps to resolve the position. You can contact us using the details set out at the beginning of this privacy notice.

13. Third Party Websites

Our website contains links to third party websites, such as Twitter and LinkedIn. If you click and follow those links then these will take you to the third party website. Those third party websites may collect personal information from you and you will need to check their privacy notices to understand how your personal information is collected and used by them.