



DAVID WILSON PARTNERSHIP

Connecting people and spaces

## PRIVACY STATEMENT

In accordance with the General Data Protection Regulation (GDPR), we have implemented this privacy notice to inform our clients of the types of data we process. We also include within this notice the reasons for processing your data, the lawful basis that permits us to process it, how long we keep your data for and your rights regarding your data.

### DATA PROTECTION PRINCIPLES

Under GDPR, all personal data obtained and held by us must be processed according to a set of core principles. In accordance with these principles, we will ensure that:

- a) processing is fair, lawful and transparent
- b) data is collected for specific, explicit, and legitimate purposes
- c) data collected is adequate, relevant and limited to what is necessary for the purposes of processing
- d) data is kept accurate and up to date. Data which is found to be inaccurate will be rectified or erased without delay
- e) data is not kept for longer than is necessary for its given purpose
- f) data is processed in a manner that ensures appropriate security of personal data including protection against unauthorised or unlawful processing, accidental loss, destruction or damage by using appropriate technical or organisation measures
- g) we comply with the relevant GDPR procedures for international transferring of personal data

### TYPES OF DATA HELD

We keep several categories of personal data on our clients in order to carry out effective and efficient processes. We keep this data on a secure server.

Specifically, we hold the following types of data:

- name and job title
- contact information including email address
- demographic information such as post code, preferences and interests
- details of your property and land ownership
- any other information relevant to your project such as the existence of any hidden services, way-leave, easements or covenants which may impact on the design or later construction of the project.

## LAWFUL BASIS FOR PROCESSING

The law on data protection allows us to process your data for certain reasons only. In the main, we process your data in order to comply with a legal requirement or in order to effectively manage the contract we have with you.

The information below categorises the types of data processing we undertake and the lawful basis we rely on.

Activity requiring your data	Lawful basis
Carry out the contract that we have entered into with you e.g. using your name, contact details, property information on statutory approvals applications (planning, building regulations etc).	Performance of the contract
Issuing information and correspondence relating to our contract with you.	Performance of the contract
Ensuring efficient administration of our contract with you	Our legitimate interests
Business planning and marketing	Our legitimate interests
Dealing with legal claims made against us	Our legitimate interests

## FAILURE TO PROVIDE DATA

Your failure to provide us with data may mean that we are unable to fulfil our requirements for our contract with you. This could include being unable to apply for statutory approvals for you or to administer construction contracts on your behalf.

## WHO WE SHARE YOUR DATA WITH

We will keep the information about you confidential and we will only disclose your information with other third parties with your express consent with the exception of the following categories of third parties.

- insurance companies, loss assessors, regulatory authorities and other fraud prevention agencies for the purposes of fraud prevention and to comply with any regulatory issues and disclosures;
- any mailing or printing agents, contractors and consultants that provide a service to us or act as our agents on the understanding that they keep the information confidential;
- anyone to whom we may transfer our rights and duties under any agreement we have with you;
- any legal or crime prevention agencies and/or to satisfy any regulatory request if we have a duty to do so or if the law allows us to do so.

We do not share your data with bodies outside of the European Economic Area.

## PROTECTING YOUR DATA

We are aware of the requirement to ensure your data is protected against accidental loss or disclosure, destruction and abuse. We have implemented processes to guard against such.

## RETENTION PERIODS

We only keep your data for as long as we need it for, which will be at least for the duration of your contract with us. In some cases we will keep your data for a period after our contract has ended. Some data retention periods are set by the law. Retention periods can vary depending on why we need your data, as set out below:

Record	Retention Period
Contracts entered into as a deed	12 years from the completion of the contract
Simple contracts	6 years from the completion of the contract
Payments made by us or to us	12 years from the end of the tax year in which the payments were made

## AUTOMATED DECISION MAKING

Automated decision making means making decision about you using no human involvement e.g. using computerised filtering equipment. No decision will be made about you on the basis of automated decision making.

## YOUR RIGHTS

You have the following rights in relation to the personal data we hold on you:

- a)** the right to be informed about the data we hold on you and what we do with it;
- b)** the right of access to the data we hold on you;
- c)** the right for any inaccuracies in the data we hold on you, however they come to light, to be corrected. This is also known as 'rectification';
- d)** the right to have data deleted in certain circumstances. This is also known as 'erasure';
- e)** the right to restrict the processing of the data;
- f)** the right to transfer the data we hold on you to another party. This is also known as 'portability';
- g)** the right to object to the inclusion of any information;
- h)** the right to regulate any automated decision-making and profiling of personal data.

More details are set out below.

## CONSENT

Where you have provided consent to our use of your data, you also have the right to withdraw that consent at any time. This means that we will stop processing your data.

## MAKING A COMPLAINT

If you have a complaint regarding the use of your personal data or sensitive information then please contact us by writing to, David Wilson Partnership, The Old School, Ladywell, Pilton, Barnstaple EX31 1QT or email [devon@davidwilsonpartnership.co.uk](mailto:devon@davidwilsonpartnership.co.uk). If your complaint is not resolved to your satisfaction, you can raise a formal complaint with the Information Commissioner (ICO). You can contact the ICO at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF or by telephone on 0303 123 1113 (local rate) or 01625 545 745.

## DATA PROTECTION COMPLIANCE

Our Data Protection Officer is:

**Peter Leaver** [pete@davidwilsonpartnership.co.uk](mailto:pete@davidwilsonpartnership.co.uk)

## Data subject rights

### Subject access requests

The General Data Protection Regulation (GDPR) grants you (hereinafter referred to as the "data subject") the right to access particular personal data that we hold about you. This is referred to as a subject access request. We shall respond promptly, and certainly within one month from the point of receiving the request and all necessary information from you. Our formal response shall include details of the personal data we hold about you, including the following:

- sources from which we acquired the information;
- the purposes for processing the information; and
- persons or entities with whom we are sharing the information.

### Right to rectification

You, the data subject, shall have the right to obtain from us, without undue delay, the rectification of inaccurate personal data we hold concerning you. Taking into account the purposes of the processing, you, the data subject, shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

### Right to erasure

You, the data subject, shall have the right to obtain from us the erasure of personal data concerning you without undue delay

### Right to restriction of processing

Subject to exemptions, you, the data subject, shall have the right to obtain from us restriction of processing where one of the following applies:

- a) the accuracy of the personal data is contested by you, the data subject, and is restricted until the accuracy of the data has been verified;
- b) the processing is unlawful and you, the data subject, oppose the erasure of the personal data and instead request the restriction on its use;
- c) we no longer need the personal data for the purposes of processing, but it is required by you, the data subject, for the establishment, exercise or defence of legal claims;
- d) you, the data subject, have objected to processing of your personal data pending the verification of whether there are legitimate grounds for us to override these objections.

### Notification obligation regarding rectification or erasure of personal data or restriction of processing

We shall communicate any rectification or erasure of personal data or restriction of processing as described above to each recipient to whom the personal data has been disclosed, unless this proves impossible or involves disproportionate effort. We shall provide you, the data subject, with information about those recipients if you request it.

### Right to data portability

You, the data subject, shall have the right to receive your personal data, which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit this data to another controller, without hindrance from us.

### **Right to object**

You, the data subject, shall have the right to object, on grounds relating to your particular situation, at any time to the processing of personal data concerning you, including any personal profiling; unless this relates to processing that is necessary for the performance of a task carried out in the public interest or an exercise of official authority vested in us. We shall no longer process the personal data unless we can demonstrate compelling legitimate grounds for the processing, which override the interests, rights and freedoms of you, the data subject, or for the establishment, exercise or defence of legal claims.

### **Right to not be subject to decisions based solely on automated processing**

We do not carry out any automated processing, which may lead to an automated decision based on your personal data.

### **Invoking your rights**

If you would like to invoke any of the above data subject rights with us, please write to us at David Wilson Partnership, The Old School, Ladywell, Pilton, Barnstaple EX31 1QT or email [devon@davidwilsonpartnership.co.uk](mailto:devon@davidwilsonpartnership.co.uk)

### **Accuracy of Information**

In order to provide the highest level of customer service possible, we need to keep accurate personal data about you. We take reasonable steps to ensure the accuracy of any personal or sensitive information we obtain. We ensure that the source of any personal data or sensitive information is clear and we carefully consider any challenges to the accuracy of the information. We also consider when it is necessary to update the information, such as name or address changes and you can help us by informing us of these changes when they occur.

### **Questions and queries**

If you have any questions or queries which are not answered by this Privacy Policy, or have any potential concerns about how we may use the personal data we hold, please write to