

# Frost's

## Privacy Notice

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### Protecting Your Data is Important to Us

#### Introduction

We collect and use personal information so that we can provide you with estate agency and our related services.

We are **AIG (HALO) Ltd** an independently owned and operated franchise business trading as **Frost's (Frost's)** under licence from **LSLi Limited (LSLi)**. This privacy notice relates to your personal data we use as a data controller. LSLi are also a data controller and you can view their privacy notice at [frosts.co.uk/privacy-notice](https://frosts.co.uk/privacy-notice).

PRIMIS Mortgage Network, which is a trading name of First Complete Limited will also be a controller where we or LSLi collect your personal information as Introducers of them. You can also find out more on how your information is used at [www.primis.co.uk/privacy-policy-and-tcs](https://www.primis.co.uk/privacy-policy-and-tcs).

This Privacy Notice was last updated on 01/06/2023. Please contact us using the details below should you require any clarification regarding how we may have processed your data prior to this date.

Please read the following carefully to understand the following information regarding your personal data and how we will treat it:

- What information is being collected from you?
- How do we use the information we collect?
- The legal basis upon which we deal with your information
- What is the source of the information we collect?
- How long do we retain your information?
- Who do we disclose your information to
- What marketing activity do we undertake?
- How do we keep your information secure?
- How do we use Cookies?
- What are your rights
- How do you contact us about your data

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## What information is being collected from you?

Category	Examples	When we collect
<b>Personal contact information</b>	Name Address Email Phone numbers	Where you engage us to provide estate agency services on your behalf either in branch, at your property, by telephone or by email When you register an account on our website or use an online form to arrange a viewing, register for property alerts, request a valuation or lettings consultation, book a mortgage appointment or submit an enquiry
<b>Personal identifiers</b>	Marital status Date of birth Nationality Tax status	When you enter into a residential sales or lettings agreement with us
<b>Property information</b>	Address Property description Floor plans Energy performance certificate ratings Property photographs	When you ask us to market a property to sell or let on your behalf
<b>Financial information</b>	Bank account details Tax URN number	Where we manage a financial transaction for you, set up a standing order, or take payment for the services which we provide to you
<b>Seller verification details</b>	Current mortgage arrangements Length of ownership of property Details of source of money invested	When you ask us to sell your property
<b>Buyer source of funds</b>	Bank statement Agreement in principal from mortgage provider	To evidence source of funds when you make an offer to buy a property through us
<b>Identity verification details</b>	Date of birth Nationality Identity documentation Outcome of any checks	Where we are required by law to carry out: <ul style="list-style-type: none"> <li>- know your client anti-money laundering checks; or</li> <li>- checks to verify that you have the right to rent a property</li> </ul>
<b>Landlord property details</b>	Proof of ownership Mortgage, insurance and licencing details Details of service contracts	When you ask us to provide letting services for your property
<b>Tenant application details</b>	Marital status Employment details Nationality and residential status Bank details and credit history Outcome of checks	When you make an application to rent a property with ourselves and we carry out our referencing and credit checks as part of this

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<b>Tenancy details</b>	Move in and out date Meter readings Details of deposit paid Photographs of property for inventory or inspection	As part of any tenancy between a landlord and a tenant
<b>Browser data</b>	The time, date and duration of your visit to our website the sites from which you have come (the referral URL) the pages visited your IP address.	When you visit our website or open a presentation we have sent to you as part of your valuation journey
<b>Call recordings</b>	A recording of your conversation Your phone number	When you speak to one of our colleagues where call recordings take place
<b>Special Category Information</b>	Health information Appropriate adjustments	When you volunteer this information to us

We may collect personal information from you which is of a sensitive nature when you voluntarily choose to provide such information to us. Where we do so we treat this information in accordance with the additional protection it is given under data protection laws.

## How do we use the information we collect?

Your information will be used by us in connection with the following purposes:

<b>Data</b>	<b>Usage</b>
<b>Estate agency services</b>	<ul style="list-style-type: none"><li>• Helping you to sell your property, or to find a property to purchase</li><li>• Valuing your property</li><li>• Providing conveyancing services</li><li>• Referring you to our mortgage and insurance partners (Embrace Financial Services Limited and First2Protect Limited)</li><li>• Progressing any mortgage and/or insurance transaction you may have commenced using our services</li><li>• Referring you to e.surv if you would like a home survey or property valuation report</li></ul>
<b>Lettings services</b>	<ul style="list-style-type: none"><li>• Helping you let your property, or to find a property to rent</li><li>• To carry out tenant referencing and credit checks to assess if you are creditworthy before you move in to a property</li><li>• To protect a tenant's deposit by registering it with a deposit protection scheme</li><li>• To process the receipt and payment of rent, maintenance and tax</li></ul>

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	<ul style="list-style-type: none"><li>• To arrange an energy performance certificate or home report inspection for you</li><li>• To arrange an inventory or to prepare a report on the condition of a property</li><li>• To ensure that utilities are in place and that utility companies and local authorities are able to contact you for billing purposes when you move in to a property</li><li>• To arrange and carry out essential maintenance and emergency repairs to a property via an approved contractor</li><li>• To manage ongoing renewals of tenancies</li></ul>
<b>Marketing our services to you</b>	<ul style="list-style-type: none"><li>• To provide you with general updates in relation to the property market</li><li>• To provide you with information or services believed to be relevant to you, including conveyancing and financial services products.</li><li>• To carry out targeted advertising to you on social media websites when you have already shown an interest in our services</li></ul>
<b>Responding to your queries</b>	<ul style="list-style-type: none"><li>• To help answer any questions which you have asked one of our agents or staff members</li><li>• To provide you with a quote for our services</li></ul>
<b>Improving our services</b>	<ul style="list-style-type: none"><li>• To analyse cookie and website usage data to improve our website;</li><li>• To allow us to customise the content which is presented to you based on your likely interests</li><li>• To keep client records up to date</li></ul>
<b>Legal and Regulatory Obligations</b>	<ul style="list-style-type: none"><li>• To comply with applicable laws where we are obliged to retain and/or disclose certain information</li><li>• To investigate or address claims or complaints relating to your use of our services</li><li>• For internal and external auditing purposes</li><li>• To carry out anti-money laundering checks</li><li>• To carry out right to rent checks</li></ul>
<b>Other</b>	<ul style="list-style-type: none"><li>• To take a payment for the services we provide</li><li>• To collect a debt which is owed to us</li><li>• For onward referencing where you are a tenant</li><li>• Retention of copyright in all advertising material (including photographs)</li></ul>

## The legal basis upon which we use your information

Wherever we collect or use your personal information, we will make sure we do this for a valid legal reason. This will be for at least one of the following purposes:

- *because it is necessary to fulfil the terms of our contract with you* - if you have entered into a contract with us for example to sell a property or to let a property;

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- *because it is necessary to support the legitimate interests of our business in operating Our Site and providing estate agency services to meet your needs - in all such cases, we will look after your information at all times in a way that is proportionate and respects your privacy rights and you have a right to object to processing as explained in the section on Your Rights below;*
- *to meet responsibilities we have to our regulators, tax officials, law enforcement, or otherwise meet our legal responsibilities*
- *where we have obtained a clear consent from you - we will always make it clear when we need your consent and how you can change your permissions at any time thereafter.*

If you would like to know more about the legal reasons or legitimate interests that apply to a particular way in which we use personal information you can contact us at any time.

## **What is the source of the information we collect?**

The majority of the personal information which we collect will have been voluntarily provided by you, however we may also obtain your personal data from other sources including:

- LSL Group companies;
- third parties including credit reference agencies, law enforcement/regulatory bodies, companies providing commercially available databases, social networks (such as Facebook), introducer companies who have referred you to us for the delivery of services, your employer, your solicitor, trustees or your attorney;
- online property portals such as Rightmove and Zoopla; and
- other publicly available sources such as the electoral roll and HM Land Registry
- your partner, spouse, family member or friend if dealing on their behalf.

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

The personal information that you provide will be retained by us in accordance with applicable laws and our internal Retention Policy. However, we will take reasonable steps to destroy or de-identify personal information we hold if it is no longer needed for the purposes set out above. We will only hold your personal information on our systems for as long as is necessary for the relevant purpose for which it was collected. A copy of our Retention Policy is available on request.

## **Who do we disclose your information to?**

The information you provide to us will be recorded and stored on our computer systems and accessed to our staff. We will share your personal data with LSLi for the purpose of providing a service to you and understanding your use of our products and services.

We will also disclose your information to the following third parties when required for the following purposes:

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## When we are providing you with estate agency services

Who	Why
<b>Vendors and buyers</b>	To facilitate viewings and notify of any offers to buy or let their property
<b>Approved contractors</b>	To install for sale or let boards and to arrange gas or electric safety checks to your home
<b>Professional photographers</b>	To produce marketing packs for the sale or let of your home
<b>General Insurance Services (administered by First2Protect Limited)</b>	To seek your consent to discuss your general insurance requirements
<b>Mortgage and Protection Services (Embrace Financial Services Limited)</b>	When you agree for us to refer you to discuss your mortgage and protection requirements
<b>Our panel conveyancing service</b>	To seek your consent to discuss your conveyancing requirements
<b>Surveyors</b>	If you or your mortgage provider require a homebuyers or structural survey to be carried out
<b>Law enforcement bodies and/or other regulatory entities</b>	In order to comply with any legal obligation or court order including the police, HMRC and local authorities
<b>Auction houses</b>	Where the property you are buying or selling is being sold by auction
<b>Anti-money laundering check providers</b>	To help us perform our anti-money laundering checks
<b>Debt collection agencies</b>	To assist us in collecting any monies which you owe to us where payment is overdue
<b>Digital marketing solutions communications</b>	To support us in performing marketing campaigns
<b>Social media networks</b>	For marketing purposes as explained in the 'How do we use the information we collect?' section of this Privacy Notice
<b>Website hosting companies</b>	To manage website hosting and provision of online accounts
<b>eSignature services</b>	To facilitate electronic signature of documents
<b>Professional advisers</b>	For the purpose of assisting us to better manage, support or develop our business and comply with our legal and regulatory obligations
<b>Third party payment processors</b>	To facilitate any payments we collect from you in a secure manner
<b>Third parties</b>	In the event of a claim or dispute relating to the use of our services

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## If we are providing you with lettings services

Who	Why
<b>Landlord, tenant and guarantor</b>	<ul style="list-style-type: none"><li>• To comply with our legal obligations</li><li>• To keep all parties fully informed where we manage a property on behalf of a landlord</li><li>• To allow you to contact each other directly in circumstances where the landlord is managing the property</li></ul>
<b>Utility switch partner / Utility providers</b>	<ul style="list-style-type: none"><li>• Where the landlord of a property instructs us to arrange the supply of a property's gas and/or electricity</li><li>• For the purposes of notifying council tax, water and energy suppliers at the property and for the purposes of setting up accounts with them when you start a tenancy</li></ul>
<b>Deposit protection service</b>	<ul style="list-style-type: none"><li>• For the purpose of providing a tenancy deposit protection scheme</li></ul>
<b>Zero deposit scheme partner</b>	<ul style="list-style-type: none"><li>• Where you have declared an interest in using a zero deposit guarantee scheme</li></ul>
<b>Local authorities</b>	<ul style="list-style-type: none"><li>• To notify exemption from council tax where you are a student living in a property occupied only by full time university or college students</li></ul>
<b>The Property Ombudsman</b>	<ul style="list-style-type: none"><li>• Where they are providing an alternative dispute resolution service in connection with the letting services which we are providing</li></ul>
<b>Propertymark</b>	<ul style="list-style-type: none"><li>• A professional body responsible for raising professional standards amongst letting agents, where information relating to you is requested by them in order to protect your interests</li></ul>
<b>Approved contractors</b>	<ul style="list-style-type: none"><li>• To arrange and carry out essential maintenance and emergency repairs to your property</li><li>• To carry out inventory checks and report on the condition of your property</li><li>• To arrange gas or electric safety checks to your home</li></ul>

## What marketing activity do we undertake

We use the information you provide us with to keep you informed about products or services which we provide and which we believe you may be interested in. Where we conduct marketing, we do so in accordance with applicable laws.

Where you contact us through the 'contact' page of our website, or make an enquiry in branch or on the phone to us, we and Our Estate Agents will use the details you have supplied to us to provide you with our general property marketing by email unless you choose to 'opt-out' of these communications.

If you do 'opt-out' then we will not send you information relating to our general property marketing by email. We and LSLi may however contact you in future by phone where we reasonably believe (on the basis of services that we are providing to you) that there are additional,

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different services which you may be interested in. This may be, for example to offer you mortgage and protection services when we are assisting you with your search for a property, or to offer you property insurance services at the point at which you have exchanged contracts for the purchase of a house or agreed a tenancy, or to offer you conveyancing services. We and LSLi rely on legitimate interests as a lawful basis for processing your information to conduct this above marketing and we and LSLi ensure you always have the right to opt-out of receiving marketing communications from us. **If you wish to never receive any form of marketing communication from us you can let us know by contacting us (using the details provided below).**

If, at any time, you prefer not to receive further communications from us or LSLi (except in connection with information, products or services that you specifically request), you will have the ability to unsubscribe from such communications by means of a link provided in every marketing message that is sent to you by us or by contacting us.

We will receive anonymous statistical information about our marketing. You will not be identifiable from this.

## Third Party Websites

Our Site may contain links to other websites. We accept no responsibility or liability for the content of other websites which are not under our strict control, in particular, we are not responsible for the protection and privacy of any information which you provide whilst visiting other websites and such sites are not governed by our Privacy Notice.

## How do we keep your information secure?

We employ security measures which aim to protect the information provided by you from access by unauthorised persons and against unlawful processing, accidental loss, destruction or damage.

We also expect you to take reasonable steps to safeguard your own privacy when transferring information to us, such as not sending confidential information over unprotected email, ensuring email attachments are password protected or encrypted and only using secure methods of postage when original documentation is sent to us.

Third parties service providers who process your personal data on our behalf may be located in the UK or elsewhere in the world where different privacy laws may apply which may not offer the same level of protection as UK law. We only make these arrangements or transfers where we are satisfied that adequate levels of protection are in place to protect any information held in that country and that the service provider acts at all times in compliance with applicable privacy laws.

## How do we use Cookies?

Our website uses cookies (including cookies to obtain an overall view of visitor habits and visitor volumes). To view more information on what cookies we use and how we use them please review our separate Cookies Policy which can be found at [frosts.co.uk/cookie-policy](https://frosts.co.uk/cookie-policy).

## What your are rights?

Subject to certain exemptions, and in some cases dependent upon the processing activity we are undertaking, you have certain rights in relation to **your personal information**. These are:

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## Right to access personal information

You have a right to request that we provide you with a copy of your personal information that we hold and you have the right to be informed of; (a) the source of your personal information; (b) the purposes, legal basis and methods of processing; (c) the data controller's identity; and (d) the entities or categories of entities to whom your personal information may be transferred.

## Right to rectify or erase personal information

You have a right to request that we rectify inaccurate personal information. We may seek to verify the accuracy of the personal information before rectifying it.

You can also request that we erase your personal information in the following limited circumstances:

- where it is no longer needed for the purposes for which it was collected; or
- where you have withdrawn your consent (where the data processing was based on consent); or
- following a successful right to object (see [right to object](#)); or
- where it has been processed unlawfully; or
- to comply with a legal obligation to which we are subject.

We are not required to comply with your request to erase personal information if the processing of your personal information is necessary:

- for compliance with a legal obligation; or
- for the establishment, exercise or defence of legal claims.

## Right to restrict the processing of your personal information

You can ask us to restrict the processing of your personal information, but only where:

- its accuracy is contested, to allow us to verify its accuracy; or
- the processing is unlawful, but you do not want it erased; or
- it is no longer needed for the purposes for which it was collected, but you still need it to establish, exercise or defend legal claims; or
- you have exercised the right to object, and verification of overriding grounds is pending.

We can continue to use your personal information following a request for restriction, where:

- we have your consent; or
- to establish, exercise or defend legal claims; or
- to protect the rights of another natural or legal person.

## Right to transfer your personal information

You can ask us to provide your personal information to you in a structured, commonly used, machine-readable format, or you can ask to have it transferred directly to another data controller, but in each case only where:

- the processing is based on your consent or on the performance of a contract with you; and
- the processing is carried out by automated means.

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## **Right to object to the processing of your personal information**

You can object to any processing of your personal information which has our legitimate interests as its legal basis, if you believe your fundamental rights and freedoms outweigh our legitimate interests.

If you raise an objection, we have an opportunity to demonstrate that we have compelling legitimate interests which override your rights and freedoms.

## **Right to object to how we use your personal information for direct marketing purposes**

You can request that we change the manner in which we contact you for marketing purposes.

You can request that we not transfer your personal information to unaffiliated third parties for the purposes of direct marketing or any other purposes.

## **Right to obtain a copy of personal information safeguards used for transfers outside your jurisdiction**

You can ask to obtain a copy of, or reference to, the safeguards under which your personal information is transferred outside of the European Union.

We may redact data transfer agreements to protect commercial terms.

## **Right to lodge a complaint with your local supervisory authority**

You have a right to lodge a complaint with your local supervisory authority (the contact details for which are set out in the *Complaints* section of this Privacy Notice) if you have concerns about how we are processing your personal information.

We ask that you please attempt to resolve any issues with us first, although you have a right to contact your supervisory authority at any time.

If you wish to access any of the above mentioned rights, we may ask you for additional information to confirm your identity and for security purposes, in particular before disclosing personal information to you. We reserve the right to charge a fee where permitted by law, for instance if your request is manifestly unfounded or excessive.

You can exercise your rights by contacting us using the details in the *Contact* section of this Privacy Notice. Subject to legal and other permissible considerations, we will make every reasonable effort to honour your request promptly or inform you if we require further information in order to fulfil your request.

We may not always be able to fully address your request, for example if it would impact the duty of confidentiality we owe to others, or if we are legally entitled to deal with the request in a different way.

## How to contact us

If you have questions or comments about our Privacy Notice or if you wish to exercise your rights mentioned above, please contact us by:

**Email:** [info@frosts.co.uk](mailto:info@frosts.co.uk)

**Post:** 4 Chequer Street, St Albans, herts., AL1 3XZ

**Telephone:** 01727 861166

If you have any concerns or complaints as to how we have handled your personal data you may lodge a complaint with the UK's data protection regulator, the ICO, who can be contacted through their website at <https://ico.org.uk/global/contact-us/> or by writing to Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

## How to contact LSLi

If your query relates to the use of your personal information by our franchisor, you may contact them via:

**Email:** [dataprotection@lsips.co.uk](mailto:dataprotection@lsips.co.uk);

**Post:** Data Protection Officer, Newcastle House, Albany Court, Newcastle Business Park, NE4 7YB; or

**Telephone:** 0191 233 4600.