

## SPM HOMES – PRIVACY POLICY

This is the privacy policy for SPM Homes. It sets out the basis on which any personal information we collect from you, or that you provide to us, will be processed by us. It is important that you read this policy in full to understand what information we hold about you, how we may use it and what rights you have in relation to your data.

By visiting [www.spmhomes.co.uk](http://www.spmhomes.co.uk) and using any services that we offer, you are accepting and consenting to the practices described in this policy.

Data Protection law changed on 25 May 2018. We may need to update this policy to reflect those changes, as well as any changes to our business from time to time. Please check this policy regularly to ensure you are familiar with its terms.

This privacy notice does not cover any links to other websites. We encourage you to read the privacy statements on any other websites that you visit.

### WHO WE ARE

We are SPM Homes Limited, a private limited company incorporated in England and Wales with company number 2213626. Our registered address is Brecon House, Charlton Hill, Cheltenham, Gloucestershire, GL53 9NE.

In this policy we refer to ourselves as “we”, “us”, “our” and “SPM Homes”.

SPM Homes is a “data controller”. This means that we are responsible for deciding how we hold and use personal information we have collected from you. We are entered in the Register of Data Controllers.

If you have any questions, or want more details about how we use your personal information, you can contact us as follows:

SPM Homes Limited  
Brecon House  
Charlton Hill  
Cheltenham  
Gloucestershire  
GL53 9NE

[jimwtc@sky.com](mailto:jimwtc@sky.com)

### WHAT PERSONAL INFORMATION WE MAY HOLD ABOUT YOU

We may collect the following categories of information from you:

**Contact:** your name, your address, contact telephone number(s) and contact email address

**Communications:** any personal information that you disclose to us in letters, emails and/or telephone conversations between us.

We use this data to ensure our services are delivered appropriately and to monitor equality, diversity and inclusion. We will apply additional security and confidentiality measures when processing your sensitive personal information.

We will ask for your specific informed consent at the time of collecting this type of data. Where you provide consent for us to process sensitive personal information, you have the right to withdraw this consent at any time.

We may collect information from you in the following ways:

## ***Information provided by you***

- When you talk to us on the phone or face to face when you visit one of our show homes
- When you contact us by email or by letter
- When you fill in one of our forms, for example, our reservation form when you agree to buy one of our homes and/or part exchange your home with us
- When you use our website to request brochures or for us to contact you by telephone, post and/or email about our products, developments and offers.
- When you complete customer surveys
- When you make a complaint

## ***Information we collect***

- From third parties, including estate agents, mortgage brokers, sub-contractors, the NHBC, utility suppliers, local authorities, legal advisors, and agents working on our behalf.
- Profile and usage data: we gather this data from devices, such as computers and mobile phones, that you use to connect to our website using cookies and other internet tracking software

## ***If you choose not to give personal information***

We may need to collect personal information by law, or under the terms of a contract we have with you. If you choose not to give us this personal information, it may delay or prevent us from meeting our obligations. It may also mean that we cannot provide our services or products to you

We will only collect the personal information that we need to be able to provide a service to you. The type of information we need from you will vary depending on our relationship with you and the service we are providing. When we ask you for information, we will make it clear why we need it. Any data collection that is optional will be made clear at the point of collection.

If you provide any personal information relating to another person, normally a joint buyer or someone who is living with you, we assume that you do so with their full knowledge and consent.

## **OUR PURPOSE FOR COLLECTING AND PROCESSING YOUR PERSONAL DATA**

Data Protection law says that we can use your personal information only if we have a lawful purpose for doing so. This means that we can only process your personal data if we have one (or more) of these reasons:

- To fulfil a contract we have with you, or
- To comply with a legal obligation, or
- When it is in our legitimate interest, or
- When you consent to it, or
- To protect your vital interests e.g. in cases of life or death, or
- When it is in the public interest e.g. it's necessary to deliver justice.

A legitimate interest is when we have a business or commercial reason to use your information. However, our use of your personal data must not have a negative or unfair impact on you.

Here is a list of all the ways that we may use your personal information, and which of the lawful reasons we rely on to do so.

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## Purpose

## Lawful basis

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To carry out our legal and contractual obligations arising from any contract or agreement between us e.g. the contract for your purchase of a property from us and (if applicable) our purchase of your existing property in part exchange:

To fulfil a contract. To comply with legal obligations.

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To process and manage your purchase of a property from us and provide after sales services, where applicable:

To fulfil a contract. To comply with legal obligations. We need this information to enter into 'contractual relations'. Without this information, we will be unable to manage the legal process.

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To assist you in participating in any government schemes in which you have indicated you wish to take part:

Our legitimate interests. Our legal obligations. We are obliged to provide information about purchase assistance schemes that may

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To identify you and to carry out money laundering checks:

To comply with legal obligations.

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To provide you with information, products or services that you request from us:

Our legitimate interests to provide you with information about our products and services that we think you may want or need, or that may be of interest to you.

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To notify you about changes to our products and services:

Our legitimate interests to continue to provide you with information about our products and services that we think you may want or need, or that may be of interest to you.

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To provide you with information about new developments and house types which may meet your needs. We will contact you in this way only if you confirm that you want to receive this information from us.

Our legitimate interests to provide you with information about our products and services that we think you may want or need, or that may be of interest to you.

To provide you with warranties that relate to our products, for example, the NHBC warranty provided in relation to a house you buy from us:	To fulfil a contract. To comply with legal obligations.
To notify utility suppliers and local authority about a change in ownership of our homes and, if applicable, about any property we have purchased from you in part exchange:	To fulfil a contract. To comply with legal obligations.
To monitor customer satisfaction (both on our own behalf and/or for the National House Building Council) including processing customer satisfaction surveys	Our legitimate interests to understand how we are performing so we can meet our mission statement and objectives and to help us to monitor our performance and to improve our products and services.
To monitor telephone calls between us for authentication, security, quality and training purposes.	Our legitimate interests to help us to monitor our performance and to improve our products and services.
To process a complaint received from you:	Your consent. To fulfil a contract.
To run our business in an efficient and proper way. This includes managing our financial position, business capability, planning, communications, corporate governance, and audit:	Our legitimate interests. Our legal duty. Complying with regulations that apply to us. Being efficient about how we fulfil our legal and contractual duties. To obey laws and regulations that apply to us.

## Marketing

We may use your personal information to tell you about our products and services. This is what we mean when we talk about 'marketing'.

The personal information we have for you is made up of what you tell us and data we collect from third parties we work with. We use this to identify and inform us of what we think you may want or need, or what may be of interest to you. This is how we decide which products, services and offers may be relevant for you.

We can only use your personal information to send you marketing messages if we have either your consent or a 'legitimate interest'. That is when we have a business or commercial reason to use your information. It must not unfairly go against what is right and best for you.

It's a legitimate business interest for us to send you postal communications (from time to time) which may comprise information we think you may want or need, or that may be of interest to you. You can ask us to stop sending you marketing materials by contacting us at any time using the contact details above.

Before sending electronic marketing communications, we will follow the law and guidance which requires us to seek your consent. You can withdraw your consent at any time. Please just contact us using the contact details above.

We may ask you to confirm or update your choices from time to time and if there are changes in the law, regulation, or the structure of our business.

SPM Homes will never sell your personal data to third party organisations for marketing purposes.

## **WHO WE SHARE YOUR PERSONAL INFORMATION WITH**

When we need to share personal data with our contractors and third-party suppliers, our relationships with them are governed by contracts which impose strict data sharing and confidentiality requirements.

Sometimes we need to share personal information we hold about you with other organisations that we work with or who provide services on our behalf. When sharing information, we will comply with all aspects of data protection law.

Where the information is of a sensitive nature, for example about your health, we will generally obtain consent from you prior to sharing this information, unless we are required or permitted to share this by law.

Where sharing is in our legitimate business interests, we may share your information without seeking your consent first. This may be with:

- Our contractors to facilitate repairs, maintenance or improvement works to a home you have purchased from us.
- Utility companies (and their representatives) and Council Tax Departments to ensure billing details are correct.
- Local Authorities who we may need to share your personal information with in order to evidence that we are complying with planning obligations, for example, in relation to affordable housing.
- The National House Builders Council to provide you with warranties that relate to a home purchased from us.
- Third parties providing services on our behalf. For example, our legal advisors who process and manage your purchase of a property from us, or a research company carrying out a customer satisfaction survey on our behalf.
- Police and other relevant authorities (e.g. Department of Work & Pensions, Probation Service, HM Revenue and Customs) in relation to the prevention and detection of crime, the apprehension of offenders or the collection of tax or duty.

We may also share information when required by law for example where ordered by the Court or to protect an individual from immediate harm.

We may also share your personal information if the structure of SPM Homes Group changes in the future. We may choose to sell, transfer, or merge parts of our company, or our assets; or we may seek to acquire other companies or merge with them. During any such restructuring of our Group, we may share your information with other parties. We'll only do this if those parties agree to keep your data safe and private.

### ***Sending data outside of the EEA***

We will only send your data outside of the European Economic Area ('EEA') to:

- Follow your instructions, or
- Comply with a legal duty.

If we do transfer information outside of the EEA, we will make sure that it is protected in the same way as if it was being used in the EEA. We'll use one of these safeguards:

- Transfer it to a non-EEA country with privacy laws that give the same protection as the EEA.
- Put in place a contract with the recipient that means they must protect it to the same standards as the EEA.

## HOW LONG WE KEEP YOUR PERSONAL INFORMATION

We will keep your personal information for as long as you are a customer of SPM Homes.

After you stop being a customer, we may keep your information for up to 16 years for one of these reasons:

- To respond to any questions or complaints or to resolve any follow up issues between us.
- To show that we treated you fairly.
- To maintain records according to legal rules that apply to us.

We may keep your data for longer than 16 years if we cannot delete it for legal, regulatory or technical reasons. If we do, we will make sure that your privacy is protected and only use it for those purposes.

We will apply appropriate technical and organisational measures to ensure your personal information is secure. For example, we have systems in place to ensure that access to personal information is restricted to authorised individuals on a strictly need-to-know basis.

To help us ensure the security and confidentiality of your personal information we will ask you (and any of your representatives) security questions to confirm your identity when you call us and as may be necessary when we call you. We will not discuss your personal information with anyone other than you, unless you have given us prior written authorisation to do so or where we have received a clear verbal instruction from you (as a one-off circumstance).

## YOUR RIGHTS

SPM Homes is committed to upholding your data privacy rights.

### *The right to be informed*

We will be open and transparent about how and why we use your personal information. This will be set out in our privacy notices.

### *The right of access*

You have a right to ask us what personal information we hold about you and to request a copy of your personal information. This is known as a 'subject access request' (SAR).

SARs need to be made in writing and accompanied by proof of your address and identify. If someone is requesting information on your behalf, they will need to provide us with your written consent for us to release your information and proof of ID (both yours and theirs).

If you are seeking to obtain specific information (e.g. about a particular matter or that relates to a specific time period), please clarify the details of what you would like to receive in your written request.

We will provide a copy of your information free of charge. However, we can charge a 'reasonable fee' if your request is manifestly unfounded or excessive, particularly if it is repetitive. Our fee will be based on administrative costs incurred by us in providing your information.

Where your request is manifestly unfounded or excessive we can refuse to respond. If we refuse to respond to your request, we will let you know why.

We have one month to provide you with the information you've requested (although we will try to provide this to you as promptly as possible). We may extend this period by a further two months if your request is complex or we have received a number of requests from you. If this is the case, we will inform you within one month of the receipt of your written request, explaining why an extension is necessary.

We will provide you with a copy of the personal information that we hold about you. This will not generally include information about your property such as repair logs or details of contractor visits as this is unlikely to constitute your 'personal information'. Please be clear if you are seeking property or repairs related information as a SAR is unlikely to fulfil your information requirements.

### ***The right to rectification***

You can ask us to rectify your personal data if it is inaccurate or incomplete by contacting us using the contact details above. If you do, we will take reasonable steps to check its accuracy and correct it.

We will comply with your request free of charge. However, we can charge a 'reasonable fee' if your request is manifestly unfounded or excessive, particularly if it is repetitive. Our fee will be based on administrative cost incurred by us in complying with your request.

Where your request is manifestly unfounded or excessive we can refuse to comply with your request. If we refuse to comply with your request, we will let you know why.

We have one month to comply with your request (although we will try to do this as promptly as possible). We may extend this period by a further two months if your request is complex or we have received a number of requests from you. If this is the case, we will inform you within one month of the receipt of your written request, explaining why an extension is necessary.

Where we have shared the personal data in question to others, we will contact each recipient and inform them of the rectification of your personal data, unless this proves impossible or involves disproportionate effort.

Please help us to keep our records accurate by keeping us informed of any changes in your personal information.

### ***The right to erasure***

The right to erasure is also known as 'the right to be forgotten'. In some circumstances, you can ask us to delete or remove personal data where there is no compelling reason for its continued processing. This is not an absolute right, and we will need to consider the circumstances of any such request and balance this against our need to continue processing the data, for example, to comply with a legal obligation. Our response will also be guided by the provisions of our retention schedule.

We will comply with your request free of charge. However, we can charge a 'reasonable fee' if your request is manifestly unfounded or excessive, particularly if it is repetitive. Our fee will be based on administrative cost incurred by us in complying with your request.

Where your request is manifestly unfounded or excessive we can refuse to comply with your request. If we refuse to comply with your request, we will let you know why.

We have one month to comply with your request (although we will try to do this as promptly as possible). We may extend this period by a further two months if your request is complex or we have received a number of requests from you. If this is the case, we will inform you within one month of the receipt of your written request, explaining why an extension is necessary.

Where we have shared the personal data in question to others, we will contact each recipient and inform them of the erasure of your personal data, unless this proves impossible or involves disproportionate effort.

### ***The right to restrict processing***

In some circumstances you can ask us to restrict the use of your personal information. This is not an absolute right and only applies if:



- You disagree with the accuracy of your personal information
- It has been used unlawfully but you don't want us to delete it
- It's not relevant any more, but you want us to keep it for use in legal claims
- You have already asked us to stop using your data but you are waiting for us to tell you if we can keep on using it
- If we're processing your data on the grounds of legitimate interests (as detailed earlier), and whilst we consider whether our legitimate grounds override those of yours.

We will comply with your request free of charge. However, we can charge a 'reasonable fee' if your request is manifestly unfounded or excessive, particularly if it is repetitive. Our fee will be based on administrative cost incurred by us in complying with your request.

Where your request is manifestly unfounded or excessive we can refuse to comply with your request. If we refuse to comply with your request, we will let you know why.

We have one month to comply with your request (although we will try to do this as promptly as possible). We may extend this period by a further two months if your request is complex or we have received a number of requests from you. If this is the case, we will inform you within one month of the receipt of your written request, explaining why an extension is necessary.

If we restrict the processing of your personal information, we are permitted to store the personal data but we won't use it.

Where we have shared the personal data in question to others, we will contact each recipient and inform them of the restriction of the personal data, unless this proves impossible or involves disproportionate effort.

### ***The right to data portability***

Data portability allows you to obtain and reuse your personal data for your own purposes across different services. You can ask us to move, copy or transfer your personal data from one IT environment to another by contacting us on the contact details above.

The right to data portability is not an absolute right and only applies:

- to personal information you have provided to us
- where our processing is based on your consent or for the performance of a contract
- when our processing is carried out by automated means.

We will provide your information free of charge. If you request it, we will transmit your data directly to another organisation, but only if this is technically feasible. We are not required to adopt or maintain processing systems that are technically compatible with other organisations.

We have one month to comply with your request (although we will try to do this as promptly as possible). We may extend this period by a further two months if your request is complex or we have received a number of requests from you. If this is the case, we will inform you within one month of the receipt of your written request, explaining why an extension is necessary.

### ***The right to object***

You can object to our processing of your personal data where that processing is:

- Based on legitimate interests
- For direct marketing purposes

We will stop processing your personal data unless:

- we can demonstrate compelling legitimate grounds for the processing, which override your interests, rights and freedoms; or
- the processing is for the establishment, exercise or defence of legal claims.

If you object to our processing of your personal data for direct marketing purposes, we will immediately stop processing your personal data for that purpose.



## ***Rights in relation to automated decision making and profiling***

We do not make a decision about you solely by automated means without any human involvement.

### ***How to complain***

If you are unhappy with why or how we have used your personal information, please contact us using the contact details above.

Alternatively, if you want to raise a complaint about our processing of your data or would like to seek an independent view, you can contact the Information Commissioner using the following contact details:

#### **Information Commissioner,**

Wycliffe House, Water Lane,  
Wilmslow,  
Cheshire SK9 5AF  
Phone: 0303 123 1113  
Website: [www.ico.org.uk](http://www.ico.org.uk)