



GDPR PRIVACY NOTICE

PARKGATE ASPEN

The new General Data Protection Regulation (GDPR) requires that we issue this Privacy Notice to explain who we are, what personal data we hold about you and why, how we collect, store and process it and how we may share or retain the information. It will also explain your rights in relation to your personal data, how to contact us and the supervisory authorities in the event of a complaint.

Parkgate Aspen fully endorses and adheres to the principles of the GDPR. Because we respect the individual's right to privacy, good data protection is fundamental to our business. We have examined our procedures and will continue to consider, adapt, invest, train and communicate to maximise privacy and remain respectful of others and compliant with the GDPR.

All personal information – whether relevant to the people we serve or as part of our business, or those that work with us and our clients – however collected, stored or recorded will be treated lawfully, correctly and appropriately. All data will be processed fairly and in a transparent manner.

WHO ARE WE?

The data controller is Parkgate Aspen Ltd, otherwise referred to as "the Company", "we" or "us" within this document.

It is the data controller who decides how your personal data is processed and for what purposes.

YOUR PERSONAL DATA – WHAT IS IT?

Personal data relates to a "data subject" (living individual) who can be identified from that data. Data subjects may include current, recent former and prospective clients, leaseholders, tenants and sub-tenants, officers and staff of client companies, RTM/RTE/RMCs, contractors and sole traders, agents or professionals, such as is relevant to the performance of our obligations under the management agreement where we process data as agents for others. We are also required to maintain personal data as required in order to meet obligations under a lease or tenancy agreement.

Personal data will usually include:

- Name, address, telephone, fax and email plus property address and correspondence address where different, or date and place of birth where required for corporate secretarial purpose;
- Restricted financial information regarding the collection of service charges and ground rents, other property related fees and charges, payment of invoices, as well as bank and mortgage details;
- Information as may be required on a shareholding or membership database;
- Lease specific information;
- Vehicle information where site parking is controlled;
- Other such items as may have been received directly during correspondence in dealing with property related issues.

It is very important that data subjects keep us updated on any changes required to the data held such as changes in ownership, contact information and other appropriate details. Please contact Parkgate Aspen with any amendments as early as possible.

HOW DO WE PROCESS YOUR PERSONAL DATA?

We comply with our obligations by keeping personal data up to date; by storing and destroying it securely; by not collecting or retaining excessive amounts of data; by protecting personal data from loss, misuse, unauthorised access and disclosure and by ensuring that appropriate measures are in place to protect your personal data.

We are committed to investing in security measures to ensure personal data is protected from abuse and rising cyber-crime. We have procedures in place to manage any suspected data security breach. We will notify you and the ICO regarding any suspected data security breach likely to result in a high risk to your rights and freedoms.

We take your privacy seriously and will only use your personal data as provided to us solely for the purposes of administering your account and to provide contracted services in carrying out our business and/or to conform to statutory or regulatory requirements.

Having assigned a legal justification for processing data to fulfil our obligations under a management contract, we are satisfied that we maintain a lawful basis for processing the personal data held. As such, specific consent is not required.

Personal details provided to and collected by us are processed:

- For the performance of a management agreement where we are appointed as managing agent;
- To inform individuals of news and important information regarding the property;
- To process personal and accounting information.

We also obtain personal information from other sources such as follows:

- Ownership details from The Land Registry;
- Corporate Secretarial information from Companies House;
- As provided by Government agencies and official bodies.

If no lawful basis applies for processing the data, we will seek the data subject's specific and individual consent, such as may be required for the marketing of products or services. We conduct regular data quality reviews to ensure that data standards are maintained.

WHERE AND HOW DATA IS HELD

We maintain paper files, secured for confidentiality as well as digitally either on internal or external servers. Additional personal data (particularly names, telephone numbers and email addresses) may be held on staff's mobile or smart phones.

Personal information is stored as above as well on property management software system to process personal and accounting information.

We conduct data quality reviews to ensure that data standards are maintained. Where there is no longer any legal or legitimate basis for holding data, it will be erased or destroyed.

SHARING YOUR PERSONAL DATA

Your personal data will be treated as strictly confidential. However, we may be required to disclose certain data to third parties for the purposes of operating our business.

The circumstances leading to such disclosures will always be classified as having a legitimate reason and include:

- Surveyors/contractors/service suppliers attending to damage, repairs, maintenance and other property works;
- Debt collectors/solicitors to pursue the recovery of unpaid service charges and/or ground rents as well as in relation to breaches of the lease and assignments etc, such as may lead to the FTT for legal process or regulatory enforcement;
- Professional and Trade bodies (ie ARMA, RICS, ICO, ISO or Ombudsman);
- Out of Hours property management locums;
- Parking and Security Companies serving managed sites;
- Deposit protection agencies and relevant adjudicators in response to tenancy claims;
- Solicitors, agents and others in relation to pre-sale enquiries, assignments and corporate secretarial requirements;
- Utility companies with a legitimate claim for information;
- Authorities and others seeking personal data or CCTV footage where available for the prevention of crime;
- Insurance companies for property related issues;
- Our clients, restricted to where they are legally entitled to be in possession of personal information;
- Other managing agents such as may be required upon handover of management information either at the beginning or end of a management contract, or where separate companies collect ground rent or service charges on behalf of a mutual client/property.

We will also engage third parties to process data on our behalf whether staff or property related. In doing so, we will seek confirmation that the third party is GDPR compliant. Such organisations include:

- Out of Hours emergency services;
- HR Management and Insurers;
- Health and Safety specialists;
- Payroll agencies handling salaries and payment of SSP and other leave, HMRC, Department of Work and Pensions;
- Banks, insurers and financial institutions, including pension providers;
- Cloud based storage solutions and software providers.

We may be required to transfer personal data to a country outside the EEA, such as by the use of Dropbox, Mailchimp, Monday.com or SurveyMonkey. The transfer of personal data to a company in the United States of America is governed by the EU-US Privacy Shield Framework and is permitted under Article 46(5) of GDPR.

HOW LONG WILL WE HOLD INFORMATION FOR:

We intend to retain data whilst ever we manage the property/development and the data subject is a leaseholder or a tenant. And once the data subject ceases to be a leaseholder or we cease to manage the development, we will retain the data for a specified time as below:

- Personal data will only be retained for as long as is necessary in order to conduct our business and in accordance with statutory or regulatory requirements;
- All property related information will be passed to new client-appointed agents or RTM/RTE companies at the end of our instruction by handover;
- Tenancy related information will usually be retained for 3 years after the end of a tenancy;

- Where management is continued but after an assignment (sale), the Property Related personal data will usually be destroyed after 6 years, save for important documents where there is deemed to be legal justification to retain these. Wherever possible, identifiable personal data will be redacted.

YOUR RIGHTS AND YOUR PERSONAL DATA

You have the following rights with respect to your personal data in respect of the information addressed by this Privacy Notice:

- Fair processing of information and transparency over how we use your personal information;
- The right to request a copy of your personal data which we hold about you;
- The right to request that we correct any personal data if it is found to be inaccurate or out of date;
- Require the removal of personal information concerning you in certain situations;
- The right to request that we provide you or a third-party with information on your personal data;
- The right to lodge a complaint with the Information Commissioner's Office.

Guidance to all individuals' rights and the circumstances in which they apply under GDPR can be obtained from the UK Information Commissioner's Office (ICO).

CONTACT DETAILS

To exercise all relevant rights, queries or complaints please in the first instance contact Mr Nilesh Shah, (Parkgate Aspen's Financial Director). He is the Data Protection Officer and may be contacted as follows:

Tel: +44 (0)20 8732 8888
Fax: +44 (0)20 8732 8899
Email: nilesh@parkaspen.co.uk
Mail: Parkgate Aspen Ltd
Wilberforce House
Station Road, London NW4 4QE.

You can also contact the Information Commissioner's Office (ICO):

Tel: +44 (0)303 123 1113 or
+44 (0)1625 545 745 if you prefer to use a national rate number
Via Web: <https://ico.org.uk>
Mail: Information Commissioner's Office
Wycliffe House, Water Lane
Wilmslow, Cheshire SK9 5AF

NOTES

This privacy notice was published in May 2018. Any updated versions may be made available upon demand or via our website: www.parkaspen.co.uk

If you need extra help such as this Notice in larger print, please contact Parkgate Aspen.

We have attempted to provide a copy of this notice to all leaseholders/tenants by post or email where available, however we do not always hold all contact details and would ask you to kindly forward this to any joint lessees or tenants.



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