

BURNS & COMMERCIAL

GDPR PRIVACY POLICY

Version 1.0

May 2018

Introduction

This policy was updated on the 28th May 2018.

Under the 1988 Data Protection Act (DPA), Privacy and Electronic Communications (EC Directive) Regulations 2003 (SI 2003/ 2426) (Privacy Regulations) and the General Data Provisions Regulations (GDPR) your data controllers are: **Burns & Co Commercial Ltd and Burns & Co Maghera Ltd.**

Burns & Co is committed to ensuring that the privacy of your information is protected always. This privacy policy explains how we collect information about you, how we use the information we collect and how you can instruct us, if you prefer to limit the use of your information and procedures that we have in place to safeguard the privacy of your information.

By using our services (including valuations, selling, purchasing or renting a property, etc) you acknowledge that we can collect and use your information as described in this Policy. Protecting your privacy is extremely important to us and we aim to be as clear as possible about how your information is used. If you have any questions about this, or wish to withdraw your consent at any time, contact us using the details in the section: **Data Protection and Your Privacy.**

Please read this Privacy Policy carefully before submitting any of your information to us. Some of the ways we use your information are necessary for us to provide our services to you, and others will only be used with your consent.

Please also read our Cookies Policy (which is available at the bottom of this page). If you have any questions, please contact us by email at info@burnscommercial.com / 028 796 33719 (Magherafelt office) or enquiries@burnshomes.co.uk / 028 796 42271 (Maghera office).

When Changes are made

If we change our Privacy Policy and/or any procedures that involve the information that you have provided to us, we will post those changes on our websites. This will ensure you are aware of current information collection methods, uses for that data as well as under what circumstances we may disclose it. Your continued use of our services (including our websites) after this Privacy Policy has been amended shall be deemed to be your continued acceptance of the terms and conditions of this Policy, as amended. **We encourage you to bookmark this page and review this Privacy Policy at regular intervals.**

Users of our Services

Our services are only intended for users aged 18 years and over, so please do not use them if you are under 18 years old. In order for us to provide our services to help clients sell, purchase, value or rent properties we require to hold personal data and contact information. This information is collected so that we can ensure that access to our services are appropriately adhered to. ***This information is not used for any other purpose.***

By using our services and by providing us with your information, you acknowledge that we may collect and use your information in accordance with this Privacy Policy. Where you submit information to us through for example our online Contact Us form, completing a Rental Application Form, or when you contact us, you confirm that you have read, and agree to, the terms of our Privacy Policy.

Data Protection and Your Privacy

Data Security: While the nature of the Internet is such that we cannot guarantee the security of the information you transmit to us via the Internet, we follow strict security procedures in the storage and disclosure of your information, to prevent unauthorised access or any loss of your information. Our security procedures mean that we may occasionally request proof of identity from you before we can discuss your details or other queries.

Burns & Co will take full responsibility for ensuring that the most appropriate security measures are in place to protect your information.

Marketing: Where you have given Burns & Co your consent, Burns & Co will use your information for some marketing purposes to contact you from time to time regarding offers, news and properties that we think you might be interested in.

Data Storage: Burns & Co will securely store and use your information for a set period. Burns & Co will cease to use your information for marketing purposes 10 years from the point of last interaction (e.g. last contact with any of our offices) or from the point you request Burns & Co to stop using your information for marketing purposes, whichever is sooner. At this point, your information is then minimised and only used for analysis.

Your right to delete or rectify your information or object to your information being used: You are always in complete control of how we use your information. Where you have consented to us using your information for purposes as set out in this Privacy Policy (for example asking us to store your email address to receive an eMail about a property you may be interested in), **you can withdraw your consent at any time**, by contacting us on info@burnscommercial.com / 028 796 33719 (Magherafelt office) or enquiries@burnshomes.co.uk / 028 796 42271 (Maghera office). Where you ask us to stop marketing communications, please be aware it may take us a few days (but no longer than a month) to ensure our systems are updated.

You are always entitled to see what information is held about you. If you want to find out what information we hold about you (called a Subject Access Request) or to have any of your information updated or corrected, please complete a **Subject Access Request Form** and email to info@burnscommercial.com / 028 796 33719 (Magherafelt office) or enquiries@burnshomes.co.uk / 028 796 42271 (Maghera office). You are not obliged to complete this form to make a request, but doing so will make it easier for us to process your request quickly. There is no charge for single subject access requests; however, Burns & Co may make a small charge for multiple copies. Proof of I.D. will be required. All requests will be fulfilled within 30 days.

Please note: if you do unsubscribe from promotional contacts, you will still receive essential calls, SMS text and email communications specifically relating to a booking you have with us.

Legitimate Interests: if you submit an enquiry to any of our offices, book a viewing, are a Vendor or Landlord client or a Professional Services Firm/Body, we believe that we can demonstrate that we have a legitimate interest in using your information for some marketing purposes, such as sending you property brochures, however you always have a choice.

The Right to Lodge a Complaint: You are always in control of your information and Burns & Co will always strive to achieve the highest standards in how it collects, used and shares your information. If you feel that Burns & Co has not handled your information as set out in this Privacy Policy or in other related statements, you have a right to complain to the Information Commissioners Office (ICO). The ICO can be contacted by visiting <https://ico.org.uk/concerns/> or calling 0303 123 1113 where you can report your concerns.

What information do we collect and how do we use it?

We collect and securely store information from you:

- If you are a Vendor, Landlord or Valuation client
- If you complete an online Contact Us form on our websites
- If you subscribe to our marketing mailing lists
- If you contact any of our Offices for a property related enquiry or for example to book a viewing or valuation
- If you complete an Rental Application Form
- If you request an appointment with a Mortgage Advisor

We will need to know some details about you such as your name, email address, postal address, telephone number (mobile or landline), address ID, photographic ID, Date of Birth, employment history, bank details, payment card details, etc. If you contact us or have an enquiry, we will keep a record of this, which may include some of your information depending on how you contacted us.

We use the information you provide us:

- To meet our Legal and Regulatory obligations and duties
- To provide a high quality service to you

- To improve our services for you and to tailor our services to your requirements
- To get to know our clients better as well as the type of clients that use our services
- To contact you about Burns & Co services we think you might be interested in
- To supply our sub-contractors who are working on our behalf with the required information to process and fulfil your needs and requests

We may collect more or less Information from you depending on which source we collect it from and which services you are using. We also passively collect details through cookies and other similar technologies. More details of the types of Information we collect are set out below and details of our passive collection of Information can be found in our Cookies Policy online.

Collection of information through your use of our websites, Apps and Booking Services

As you use our websites, we may passively collect information through our use of cookies and other technologies. This allows us to deliver information that is more helpful, services, tools and advertisements. Please see our Cookies Policy for more information on how we use cookies, and how you can adjust your cookie settings. Note that if you decline our cookies or ask for notification each time a cookie is being sent, this may affect your ease of use of our websites.

In particular, we may collect:

- details of your visits to our websites (including, but not limited to, traffic data, location and time data (where you have agreed to this), weblogs and other communication data) and the pages that you access.
- information about your computer, including where available your IP address, operating system and browser type. This is statistical data about our users' browsing actions and patterns, and does not identify an individual.

We may use this Information to:

- ensure that content from our websites is presented in the most effective manner for you and for your computer.
- help diagnose problems with our servers and to administer our websites.
- notify you about any changes to our websites.

The Information we store within cookies is encoded and restricted so only we (and our trusted sub-contractor firms managing our ICT services) can access this Information.

Sharing Information with 3rd Parties

We may need to pass some of your information on to 3rd parties in order to supply our services that you have requested, for example, suppliers of services such as Solicitors, Architects, Payment Partners, Accountants, Lending Institutions, Web Designers, ICT partners, Property Portals (e.g. Property Pal and Property News), Energy Assessors, Board Suppliers, Building Contractors etc. who may contact you, typically by post, email or SMS. The following details where Burns & Co shares your information. A full list of the individual companies is available on request.

These 3rd parties may include:

- **Energy Assessors**
- **Board Suppliers**
- **Solicitors**
- **Accountants**
- **Architects**
- **Financial Advisors (Mortgage, Protection or Pension Advisors)**

- **Builders/Developers**
- **Contractors**
- **Payment Partners**
- **Property Portals**
- **Lending Institutions**
- **Where a duty exists:** If we are under a duty to disclose or share your personal information in order to comply with any legal obligation and/or in order to enforce or apply any other agreements between you and us (for example, debt collection agencies).
- **Legal Requirements:** Where we are obliged to, or permitted to do so, by law, court order, and search warrant or similar presented to Burns & Co by any law enforcement or government officer.

These companies are all based within the European Union.

If our business is sold or integrated with another business, your information may be disclosed to our advisers and any prospective purchasers' advisers and will be passed on to the new owners of the business.

By using this website, you consent to the information being passed on to those organisations for the provision of our services you require.

3rd Party Payments

When you make a payment by WorldPay, your information shall be subject to their own privacy policy.

Links to External Websites

Our websites may link to a number of external websites, for example Facebook. If you click on one of these links, you acknowledge that your access of such websites will be subject to that website's own terms, conditions and Privacy Policy.

Burns & Co has no control over how your information is used by these websites, where it is stored and, as such, any course of action you have regarding any alleged misuse of such information must be against the owners of the relevant website. You acknowledge that the same information may be provided by you to both that website and Burns & Co, but only when specifically provided to Burns & Co is it subject to this Privacy Policy. Please check the relevant Terms, Conditions and Privacy Policy before using such websites.

Behavioural Advertising

We believe that advertising is considerably more interesting when it is relevant to you. Therefore, we may customise the advertisements that you see based upon:

- the Information you voluntarily provide to us;
- geographic location information (where you have consented for us to do so), which we may determine through your IP address, from your mobile device, or other ways;
- information we receive from third parties; or
- your visits to our websites or your use of our services (commonly referred to as "Behavioural Advertising").

Advertisers or other third parties using our websites may also engage in Behavioural Advertising and use cookies and web beacons in the manner described above. We do not control these advertisers or other parties' use of cookies or web beacons or what they do with the information they collect.

You can limit the way that we tailor advertising by objecting to the cookies that we or third parties wish to place on your browser or deleting the cookies that we or third parties have placed on your browser. See the Cookie Policy for more information.

After you have exercised your right to object or reject the use of cookies, you may still see advertisements, but the advertising may not be as relevant to your interests. If you change your computer, change your browser or delete certain cookies, you will need to renew your preferences.

If you would like more information about this practice and to know your choices, please see our Cookies Policy or contact us at info@burnscommercial.com / 028 796 33719 (Magherafelt office) or enquiries@burnshomes.co.uk / 028 796 42271 (Maghera office).

Cookie Policy

Introduction

Please read this Cookie Policy carefully so that you know how we use cookies, and what we do with your information. This Cookie Policy applies in relation to our website and our mobile site (collectively, "website"). By using our website, you are agreeing to the terms of this Cookie Policy. We may update this Cookie Policy from time to time, so we recommend that you re-visit it occasionally to read it again.

Cookie Consent

The Burns & Co website's cookie settings are programmed to allow all cookies. This helps us to provide you with the best experience and allows us to improve the functionality of our site. If you continue to browse the website without adjusting these settings, you are consenting to allow all cookies to be issued to you. However, you are always in control and you can change your cookies settings at any time by adjusting your browser settings. Please note that if you refuse cookies, some of the functionality of our web site will be lost and we cannot guarantee how our website will perform for you.

What is a cookie?

A cookie is a small file that contains information that is transferred to your browser and/or computer's hard drive.

Our website uses cookies to distinguish you from other users of our website. This helps us to provide you with a more suitable experience when you browse our website and allows us to improve the functionality of our site. We also use cookies to make the content of our website more relevant and helpful to you during subsequent visits, for example, by remembering which property page you last visited or searched for.

You can adjust your browser settings on your computer to always refuse cookies. If you have not done this, our website will issue cookies as soon as you visit us. Users should note that, if you refuse cookies, some of the functionality of our website will be lost and we cannot guarantee how our website will perform for you. You can find more general information about cookies at www.allaboutcookies.org.

Different types of cookies

The cookies used by Burns & Co fall into four categories. The categories are: strictly necessary, performance, functionality, and targeting.

Please note that third parties (including, for example, advertising networks and providers of external services like web traffic analysis services) may also use additional cookies, over which we have no control. These cookies are likely to be analytical, performance or targeting cookies.

Strictly Necessary Cookies

Strictly Necessary cookies let you move around the website and use essential features like our online booking service or shortlist functionality. Without these cookies, services that you have asked for, such as information regarding a property cannot be provided. These cookies do not gather any information about you that could be used for marketing or remembering where you have been on the internet.

We use these Strictly Necessary cookies to:

- Remember the properties you viewed online
- Strictly Necessary cookies are essential to the performance of the website and cannot be switched off. However, if you prevent these cookies (or some of them) by adjusting your browser settings, we cannot guarantee your security or predict how our website will perform during your visit.

Performance Cookies

We collect information about how you use our website using performance cookies. These cookies do not collect any information that could identify you – all the information collected is anonymous and is only used to help us improve how our web site works and to understand what content interests our users. These cookies do not gather any information about you that could be used for marketing or targeting adverts to you on any other website.

We use performance cookies to:

- Collect information regarding how our website is used
- Measure the effectiveness of our adverts
- Monitor errors that you experience during your visit and improve our website
- Some performance cookies are managed for us by third parties, but we do not allow the third party to use the cookies for any purpose other than those listed.

Functionality Cookies

Functionality cookies are used to provide services or to remember settings to improve your visit. They help us provide enhanced, more personalised features. For example, we use a functionality cookie to remember which properties you searched for online. We also use functionality cookies to allow you to use social plug-ins on our website (for example Facebook).

Cookies defined as functionality cookies will not be used to target you with adverts on other websites.

You can control whether these functionality cookies are used by changing your browser settings. However, if you choose to prevent these cookies, we cannot guarantee or predict how our website will perform during your visit.

Targeting Cookies

These cookies are used to deliver adverts more relevant to you and they collect information about your browsing habits. Targeting cookies are linked to services provided by third parties, such as 'like' and 'share' buttons on Facebook as well as other advertisements. We use targeting cookies to send third parties information on your visit so that they can make their advertising more relevant to you when you visit their websites.

You can control whether these targeting cookies are used by updating your browser settings. These cookies are managed by third parties, and you may alternatively use the third parties' own tools to prevent these cookies.