

Kernahans

□ □ □ **Property Specialists** □ □ □

**4 England's Lane
London NW3 4TG**

Tel 020 7586 8550

Email info@kernahans.net

PRIVATE POLICY

At Kernahans we respect your privacy. We believe in transparency and are committed to being open about our privacy practices. This notice explains how we collect and use your personal information and has been prepared in accordance with the requirements of the EU General Data Protection Regulation (GDPR).

In this document, the expressions "we", "us" and "our" refer to Kernahans. The expressions "you" and "your" refer to the Data Subject.

YOUR PERSONAL DATA - WHAT IS IT?

Personal data relates to a "data subject" 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 important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

HOW DO WE PROCESS YOUR PERSONAL DATA?

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.

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 may 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.

WHERE AND HOW DATA IS HELD

We maintain paper files as well as digitally information stored on secure external servers. Additional personal data (particularly names, telephone numbers and email addresses) may be accessible on company supplied mobile phones.

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

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
- 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
- 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.

HOW LONG WILL WE HOLD INFORMATION FOR?

We intend to retain data whilst ever we manage the property 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 Brian Kernahans and may be contacted as follows

Tel +44 (0)20 7586 8550
Email bgk@kernahans.net
Mail Kernahans
4 Englands Lane
London
NW3 4TG

You can also contact the Information Commissioner's

Tel +44 (0)303 123 1113
Web <https://ico.org.uk>
Mail: Information Commissioner's Office
Wycliffe House,
Water Lane
Wilmslow
Cheshire
SK9 5AF

This privacy notice was published in February 2019. Any updated versions may be made available upon demand or via our website: www.kernahans.net