



PRIVACY NOTICE

provided by Capstone Ltd

relating to

Estate Management and other Freehold Related Services

This privacy notice explains what personal data (information) we hold about you, how we collect it, and how we use and may share information about you during our management of your building and after it ends. We are required to notify you of this information under the General Data Protection Regulation.

Please ensure you read this notice (sometimes referred to as a “privacy notice” and any other similar notice we may provide to you from time to time when we collect or process personal information about you. This privacy notice contains important information on who we are, how and why we collect, store, use and share personal information, your rights in relation to your personal information and on how to contact us and supervisory authorities in the event you have a complaint.

1. WHO WE ARE

Capstone Ltd collects, uses and is responsible for certain personal information about you. When we do so we are regulated under the [General Data Protection Regulation](#) which applies across the European Union (including in the United Kingdom) and we are responsible as ‘controller’ of that personal information for the purposes of those laws.

In this privacy notice, references to “we” or “us” means Capstone Ltd.

2. DATA PROTECTION PRINCIPLES

We will comply with the data protection principles when gathering and using personal information, as set out in our GDPR data protection policy.

3. THE PERSONAL INFORMATION WE COLLECT AND USE: INFORMATION COLLECTED BY US

In the course of the management of the building (or provision of other freeholder service such as rent or buildings insurance collection) we collect the following personal information when you provide it to us (“List A”):

Names, home and mobile telephone numbers, email addresses, leasehold addresses, correspondence addresses, details of anyone authorized to act on your behalf, payment history, record of phone calls, payment method, bank details (as necessary), recordings of telephone calls or answering messages, CCTV Recordings, photographs of alleged breaches of lease and mortgage details (as necessary).

The provision of personal data such as that mentioned in List A is required from you to enable us to perform our contract as managing agent appointed for and on behalf of our client (the instructing freehold entity). We will inform you at the point of collecting information from you, whether you are required to provide the information to us.

4. THE PERSONAL INFORMATION WE COLLECT AND USE: INFORMATION COLLECTED FROM OTHER SOURCES

We also obtain personal information from other sources as follows:

Names, home and mobile telephone numbers, email addresses, leasehold addresses correspondence addresses, payment history and mortgage details from the following sources :

A new or old leaseholder and the point of the purchase of a flat

Solicitors

outgoing managing agent

client freeholder or RMC or other freehold entity

land registry

5. HOW WE USE YOUR PERSONAL INFORMATION

We will typically collect and use this information for the following purposes:

For the performance of a contract you have with our client freeholder (or other freehold entity (or landlord if you are a short term tenant)) and pursuant to which we are appointed as their agent.

(and)

For the purposes of our legitimate interests or those of a third party, but only if these are not overridden by your interests, rights or freedoms.

We seek to ensure that our information collection and processing is always proportionate. We will notify you of any material changes to information we collect or to the purposes for which we collect and process it.

6. WHO WE SHARE YOUR PERSONAL INFORMATION WITH

We routinely share the following categories of personal data:

Names, home and mobile telephone numbers, email addresses, leasehold addresses correspondence addresses, payment history, photographs of alleged breaches of lease (rarely) and mortgage details.

This personal information may be shared with the following categories of recipients:

lawyers, debt collectors, accountants, insurers/insurance brokers, loss adjusters, contractors, regulating authority, fire authority, training providers, surveyors, health and safety contractors, emergency out of hours service, cloud-based telephone system service provider, auditors (e.g. Inland Revenue), financial conduct authority, property ombudsman, an incoming managing agent (when transferring the property to them), banking services, conference calling service providers, This data sharing enables us to perform our contract as managing agent.

If you are a leaseholder we will, if necessary, share your personal data with the instructing client freeholder or freehold entity such as the directors of any Right To Manage company or Residents Management Committee. We might also share your contact details with any contractor or professional in connection with the maintenance of the building or for access purposes or for any other reasonable purpose relating to the building or to deal with any query or feedback you may have related to services provided at the building.

We will share personal information with law enforcement or other authorities if required by applicable law.

We will not share your personal information with any other third party.

7. WHERE YOUR PERSONAL INFORMATION MAY BE HELD

Information may be held at our offices and those of our group companies, and third party agencies, service providers, representatives and agents as described above.

We have security measures in place to seek to ensure that there is appropriate security for information we hold including those measures detailed in our GDPR data protection policy.

8. HOW LONG YOUR PERSONAL INFORMATION WILL BE KEPT

We will hold the personal data detailed in “List A” above for as long as we are instructed by the client and then for not more than seven years when no longer instructed. Whilst we remain instructed we may hold on to correspondence and other personal data for reference purposes for an indefinite period.

9. REASONS WE CAN COLLECT AND USE YOUR PERSONAL INFORMATION

We rely on legitimate interest as the lawful basis on which we collect and use your personal data.

Our legitimate interest is based on the need to collect data for the purpose of:

Contacting lessees in an emergency or to gain access to their flat; to enable us to correspond and/or communicate effectively with them; to process refunds; to manage their leasehold account; so that their mortgage company can be aware of debt attaching to the leasehold and / or to obtain payment from the mortgage company and to meet the lease requirement of accepting notice of transfer and/or assignment from the leaseholder.

10. TRANSFER OF YOUR INFORMATION OUT OF THE EEA

We may transfer any of the personal information listed above to the client freeholder or their representative who may be located outside the European Economic Area (EEA):

11. YOUR RIGHTS

Under the [General Data Protection Regulation](#) you have a number of important rights free of charge.

In summary, those include rights to:

fair processing of information and transparency over how we use your use personal information

access to your personal information and to certain other supplementary information that this Privacy Notice is already designed to address

require us to correct any mistakes in your information which we hold

require the erasure of personal information concerning you in certain situations

receive the personal information concerning you which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit those data to a third party in certain situations

object at any time to processing of personal information concerning you for direct marketing

object to decisions being taken by automated means which produce legal effects concerning you or similarly significantly affect you

object in certain other situations to our continued processing of your personal information

otherwise restrict our processing of your personal information in certain circumstances

claim compensation for damages caused by our breach of any data protection laws

For further information on each of those rights, including the circumstances in which they apply, see the [Guidance from the UK Information Commissioner's Office \(ICO\) on individuals rights under the General Data Protection Regulation](#).

If you would like to exercise any of those rights, please:

email, call or write to us

let us have enough information to identify you (eg full name, address and property address),

let us have proof of your identity and address (a copy of your driving licence or passport and a recent utility or credit card bill), and

let us know the information to which your request relates, including any account or reference numbers, if you have them

12. KEEPING YOUR PERSONAL INFORMATION SECURE

We have appropriate security measures in place to prevent personal information from being accidentally lost, or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

13. HOW TO COMPLAIN

We hope that we can resolve any query or concern you raise about our use of your information.

The [General Data Protection Regulation](#) also gives you right to lodge a complaint with a supervisory authority, in particular in the European Union (or European Economic Area) state where you work, normally live or where any alleged infringement of data protection laws occurred. The supervisory authority in the UK is the Information Commissioner who may be contacted at <https://ico.org.uk/concerns/> or telephone: [0303 123 1113].

14. CHANGES TO THIS PRIVACY NOTICE

This privacy notice was published on last updated on 12 July 2018.

We may change this privacy notice from time to time, and when we do we will inform you.

15. DO YOU NEED EXTRA HELP?

If you would like this notice in another format (for example: audio, large print, braille) please contact us (see 'How to contact us' above).