

Privacy and Cookie policy

James Anthony Estate Agents Ltd

Confidentiality Statement

This policy contains information confidential and proprietary to James Anthony Estate Agents Ltd. This document contains information that is confidential or otherwise protected from disclosure and shall not be disclosed without prior approval.

Version History

The document owner is Kevin Smith.

Date	Current Version	Comment	Next review date	Author	Status
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Contacts

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Definitions

The definition of the Data Controller, Data Processor, Data, Personal Data, Processing is in accordance with the Data Protection Act 2018 and The EU General Data Protection Regulation up to 31st December 2020, thereafter The UK GDPR.

Data Protection Act 2018 means the data protection laws in the UK, including amendments The Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 (effective on exit day) (“DPPEC”).

“EPECR or Privacy and Electronic Communications Regulations 2003” means the 2002 EU Directive 2002/58/EC concerning the processing of personal data and the protection of privacy in the electronic communications.

“The EU GDPR” means The General Data Protection Regulation (EU) 2016/679 (GDPR) is a regulation in EU law on data protection and privacy for all individual citizens of the European Union (EU) and the European Economic Area (EEA). Where a UK business is providing service to an EEA citizen a UK business will need to comply with the UK GDPR and the EU GDPR.

“The UK GDPR” means the Regulation (EU) 2016/679 as per the definition in the updated Data Protection Act 2018. Thereafter, from the 31st December 2020, data protection to be governed by the UK GDPR and Data Protection Act 2018. Where a UK business is providing service to an EEA citizen a UK business will need to comply with the UK GDPR and the EU GDPR. Personal Data as it is defined in the GDPR.

“ICO” means the information commissioner’s office as the UK’s supervisory authority of the member state up to 31st December 2020. Thereafter, the referred to as the Commissioner.

“Service(s)” means and includes any of the following provided by Us to the You:-

- (a) Buying.
- (b) Selling.
- (c) Land and new homes.
- (d) Lettings/Renting.

“We, Us or Our” means James Anthony Estate Agents Ltd.

“You or Your” means the business or entity, an authorised person on behalf of the business or an individual ordering the Services from Us.

1. Introduction

This privacy and cookie policy governs the use of the James Anthony Estate Agents Ltd (“Our,We,Us”) with the website (<https://www.jaea.co.uk/>), and sets out the basis in the way We collect or provided by You any Personal Data, the way in which We process Your Personal Data. By using Our website or any associated mobile application(s) (Apps) You agree and accept the terms of this privacy and cookie policy in conjunction with the terms and conditions. If You do not agree with this then do not use Our Website or any associated mobile application(s).

2. The information We may hold about You

2.1 What Personal Data do We collect?

For most of the buying, selling, land and new homes and lettings Services provided We may collect Personal Data as per the table in 2.2 below.

2.2 Why do We collect this information?

We use the Your Personal Data for purposes listed below related to the Services:-

Subject	Role	Purpose and type of activities	Lawful basis for processing	Special Category purpose (DPA 2018)	Personal Data
Buying and selling of property	(i) We collect or determines, Data Controller.	(i) To sell property on instruction from You (ii) To purchase a property on acceptance of offer form You and if type of buyer (iii) Advertise potential sale of a property, updates or alerts for a period (iv)To recommend a broker for mortgages or credit checks	Performance of a contract/Consent (special category data)	Previous medical /health condition (disability access requirements)	Surname, first name (including children under 18), address, postcode, phone number, email, IP address, passport, driving licence, bank details, date of birth, previous disability access requirement and images (photo and video) of properties.

		(v) To market property related online platforms (archiving by third party platform provider)			
General rental and lettings	(i) We collect or determines, Data Controller.	(i) To carry out checks, references (ii) To obtain guarantors (iii) To complete tenancy agreement, set up rent, rent deposit scheme, certifications. (iv) Advertise potential rentals, updates or alerts for a period v) To market property related online platforms (historical data by third party platform provider)	Performance of a contract/Consent (special category data)	Previous medical /health condition (disability access requirements), social security	Same as above including employment, social security (if required)
Land and new homes purchase or sell (includes enquires)	(i) We collect or determines, Data Controller.	(i) To sell property on instruction from You (ii) To purchase a property on acceptance of offer from You (iii) Advertise potential sale of a property, updates or alerts for a period (iv)To engage lenders or credit agencies etc (v) To market property	Performance of a contract/Consent (special category data)	Previous medical /health condition (disability access requirements)	Same as above

		related online platforms (historical data by third party platform provider)			
Deal with regulatory or legal queries (HMRC, dispute resolution etc)	Data Controller	To contact legal or regulatory authority under a legal obligation	Legal obligation	Not applicable	Same as above
Website responses	Data Controller	To respond to enquiries with Our website or contact on social media.	Legitimate interest/ Performance of a contract	Not applicable	Same as above (reduced)
Marketing (business) and advertising including online or mail.	Data Controller	To provide blogs, newsletters, email campaign, social media.	Consent (unless opted out)	Not applicable	Same as above (reduced)

Note: In relation to any of Our staff any personal data processed in line with their employment agreement.

2.3 How is this information collected?

We may collect Your details from contact us from, direct emails or any enquiries. Any website tracking information related to device specific, collecting information about e.g. pixels etc if applicable.

2.4 Use of the information collected?

The Personal Data is used to contact You via email or other means about Our provision of the Service(s) and to identify You when You engage with Us. Our partners who are instructed by Us on Our behalf in delivering any part of Service to You in 2.2 above. For marketing Our Services to You except where You have withdrawn or opted out to receive any marketing from Us.

Any third party which We use for Personal Data Processing will only process for example the email, until such time either the Personal Data is deleted on exit of a contract or a right which is exercised e.g., right to erase or withdraw of consent.

3. Cookies

A website or features provided by a platform may have number of small scripts running in the background to capture web traffic data or retain session information about You (e.g. location, services You viewed etc) to allow us gather then process the information or view patterns in relation to navigation as a visitor to Our Website these are cookies.

“**Session Cookie**” enable the website You are visiting to keep track of Your movement from page to page.

“**Performance Cookie**” collect information about e.g. performance of a website using Google Analytics.

“**Persistent Cookie**” means a data file capable of providing websites with user preferences, settings and information for future visits on a user(s) hard drive with expiry date or the user deletes this file.

“**Marketing Cookie**” means the collection of user preferences related to marketing and to display relevant adverts.

The Cookies We use.

Our Website may use the listed cookies below:-

Service	Company	Description
Google Maps	Google	Web analytics online service which tracks and reports in relation to website visitors traffic.
Social media pixels (Instagram, Facebook)	(a) Instagram (b)Facebook	To gather and display using web site data analytics relating to web site visitor information and marketing campaigns.

Company	Cookie Name	Expiration Time	Cookies use
Facebook	datrc fr lu	2 years from the creation time	Uses a unique identification to make sure that any advertising You see from us on Facebook, is relevant and personalized.
Instagram	Session id	Session/ 24 hours	User’s internet browser preferences.
	First party	24- 48 hours	Cookie related to another Instagram or Meta product
	Third party	7 days	Cookie related to another third-party advert or analytics.
Google	GoogleMap Api	Session	To request user IP address marketing and tracking
	UserSetting	Session	User’s internet browser colour and location preferences

Note: The company’s cookies and session times may vary.

Changing the Cookies settings

You may disable or erase cookies on Your computer or mobile device from Your settings internet browser settings. If You are unfamiliar with

this, We would recommend reading up how to do this for example if using the Google browser (see Google guide).

You may be able to disable some cookies on Our website under their browser settings and it may affect the way a web site operates. You can find further information about cookies at www.allaboutcookies.org

4. Third parties

We work with a few trusted third parties delivering any of the Services mentioned above in section 2, who sign up to or adopt similar level of privacy as the jaea.co.uk privacy policy concerning how they handle Personal Data.

Type	Company	Use
Social media pixels (Instagram, Facebook)	(a)Instagram (b)Facebook	Online social media in relation to lead generation with inMail, messaging, posts, marketing campaigns.
Online property platforms	(a)Zoopla (b)Rightmove (c)Prime location	Online marketing of the property for sale and its values.
Email marketing	Mail Chimp	Online email marketing tool for marketing.
Reviews - Google My Business	Google my business	Online reviews related to Services.
Google maps (Google API)	Google maps	Providing location information by way of a map. Any zoom in and zoom out uses the API to resize the map.
Google Ads	Google Ads	Online advertising platform.
Web hosting	DP Marketing communications	Online hosting of website and domain Services.
Marketing	DP Marketing communications	Creation, publishing online, print marketing material or marketing campaigns or referrals.

5. Marketing

We may contact You from time to time and send You details of Services that We provide which may be of interest to You. We may share your information with other third parties to contact You about Services which may be of interest to You with inhouse marketing. Any external marketing lists used shall be subject to approved consents where applicable. If You do not wish to receive such requests in the future, please contact Us to withdraw.

6. Your rights

As a Customer You have several rights in relation to Personal Data some are listed below. Where applicable We will respond to the above requests within thirty (30) days or notify as to who should be responding.

6.1. Subject access requests

If You wish to submit a subject access request, on the information We may hold about You then please email enquiries@jaea.co.uk Where We are acting as the Data Controller of the Personal Data We will respond. However, where We are acting as the Data Processor or a third party, We will pass your request onto the relevant Data Controller to respond directly. There is no charge of this except where such request is excessive it may be chargeable.

6.2. Inaccurate Personal Data

Where We have collected or use the Personal Data and which You believe is incorrect the please contact Us with to amend the Personal Data.

6.3. Request to withdraw, erase and portability of Personal Data

If You wish to submit a request in relation to withdrawing consent, erase or port Your Personal Data We hold on You then please contact Us.

The ICO guidelines provide that some rights may not apply right to object (excluded under contact, legitimate interest or public tasks), erase (excluded under legal obligation or public tasks), portability (excluded under legal obligation, vital interest, public tasks, legitimate interests).

7. Retention of Personal Data

We will retain records no longer than they are required or as up to 36 months if You withdraw/erase earlier then the data will be deleted exceptions for legal etc reasons held for longer. On exit of a Service We will give the Customer the option to delete or receive a copy of the Personal Data collected.

8. Personal Data outside the EEA

If any of website design or hosting services are provided outside of the EEA and Personal Data may be transferred by Us in order to provide You the Service above in 2.2. Where We transfer any Personal Data outside the UK into the EEA or outside of European Economic Area (EEA) this will be subject to either adequacy levels or model agreements to ensure that higher level of data privacy are applied.

9. Links to other websites

Our website may contain other website links or content for interest. On entering the other website, We will have no control once You exit Our website. We exclude all responsibility and liability for Personal Data which You may submit. If You are not sure about entering Personal Data on these other websites, please review their privacy policy.

10. Disclosure of information

We reserve the right to disclose collected Personal Data or any other supporting information in response of a court order, legal action, where consent is given, acquisition, regulator body where such disclosure is required by law or regulation.

11. Contacting Us

If You have any questions in relation to this privacy and cookie policy, please contact the regarding data privacy at enquiries@jaea.co.uk