



*Building Sustainable
Communities*

**FACTORED OWNERS
HOW WE USE YOUR PERSONAL
INFORMATION**

FYNE HOMES LIMITED

HOW WE USE YOUR PERSONAL INFORMATION

We, Fyne Homes, are the controller of the personal information that we hold about you, which means that we are legally responsible for how we hold and use personal information about you. It also means that we are required to comply with data protection laws when holding and using your personal information.

We have appointed a Data Protection Officer (DPO), Daradjeet Jagpal, who ensures that we comply with data protection laws. If you have any questions about this statement or how we hold or use your personal information, please contact the DPO by: e-mail at fynedpo@infolawsolutions.co.uk; telephone on 07852 905779; or writing to: The Data Protection Officer, 81 Victoria Street, Rothesay, Isle of Bute, PA20 0AP.

You can also contact us by: e-mail at postmaster@fynehomes.co.uk; telephone on 0345 607 7117; or writing to: Fyne Homes, 81 Victoria Street, Rothesay, Isle of Bute, PA20 0AP.

Your attention is particularly drawn to section 2 of this statement, which confirms that you consent to your personal information and sensitive personal information being held and used by us as described in section 1 of this statement.

1. What personal information do we hold and use about you and why?

As part of your factoring agreement with us, we hold and use the personal information that you provided to us and / or other personal information that we may obtain about you from you and third parties on an ongoing basis.

We use such personal information for the following purposes:

- providing you with services as the factor of your property;
- communicating with you, including to: respond to your enquiries; notify you of any major repairs required to the common parts of the building in which your property is located; invite you to attend owners' meetings; and ask you to complete satisfaction surveys;
- improving our services and responding to changing needs;
- factoring management and administration, including carrying out repairs to the common parts of the building in which your property is located and processing your common charges and / or service charge invoices and payments;
- recovering any outstanding charges from you; and
- keeping the personal information that we hold about you accurate and up-to-date.

2. What is our legal basis for holding and using your personal information?

Data protection laws require us to have a legal reason for holding and using your personal information.

In some circumstances, we may rely on your consent as the legal reason. By providing us with your personal information and sensitive personal information (relating to your health, racial or ethnic origin, religious or other beliefs or sexual orientation) and the personal information and sensitive personal information of other members of your household (for example, an alternative contact), you:

- consent to it being used by us as described in section 1 of this statement; and
- confirm that you have informed the other members of your household of 12 years old and above of the content of this statement and they have provided their consent to their personal information and sensitive personal information being used by us as described in section 1 of this statement.

You and the other members of your household have the right to withdraw your consent to us holding and using your and their personal information and sensitive personal information by contacting us. Once you / they have withdrawn your / their consent, we will no longer use your / their personal information and sensitive personal information for the purpose(s) set out in section 1 of this statement, which you originally agreed to, unless we have another legal reason for doing so.

Our other legal reasons for holding and using your personal information are:

- performance and management of the factoring agreement between us;
- legal and regulatory obligations which apply to us as a property factor;
- protection of your vital interests; and
- our legitimate interests – while you have a legitimate interest in the protection of your personal information, we also have an overriding legitimate interest in handling and using your personal information, including sharing it with our contractors and service providers (listed in section 3 of this statement), for the purposes described in section 1 of this statement.

3. Who do we share your personal information with?

We share your personal information with the following organisations for the purposes described in section 1 of this statement:

- our contractors to undertake repairs, works and maintenance to the common parts of the building in which your property is located;
- our out of hours emergency repairs service contact centre;
- our survey company to carry out surveys;
- our service providers to maintain the systems on which your personal information is stored and to allow you to make payments of charges to us;
- our solicitors for providing advice on debt recovery actions;
- your solicitor to recover any outstanding charges when you sell your property; and
- our debt collection and tracing agents for the recovery of charges payments.

4. How long do we keep your personal information?

We will only keep your personal information for as long as we need to for the purposes described in section 1 of this statement, including to meet any legal,

accounting, reporting or regulatory requirements. More information is contained in our data retention policy, which is available by contacting our DPO.

5. What rights do you have in relation to your personal information that we hold and use?

It is important that the personal information that we hold about you is accurate and current. Please keep us informed of any changes by contacting our DPO. Under certain circumstances, the law gives you the right to request:

- A copy of your personal information and to check that we are holding and using it in accordance with legal requirements.
- Correction of any incomplete or inaccurate personal information that we hold about you.
- Deletion of your personal information where there is no good reason for us continuing to hold and use it. You also have the right to ask us to do this where you object to us holding and using your personal information (details below).
- Temporarily suspend the use of your personal information, for example, if you want us to check that it is correct or the reason for processing it.
- The transfer of your personal information to another organisation.

You can also object to us holding and using your personal information where our legal basis is a legitimate interest (either our legitimate interests or those of a third party).

Please contact our DPO if you wish to make any of the above requests. When you make a request, we may ask you for specific information to help us confirm your identity for security reasons. You will not need to pay a fee when you make any of the above requests, but we may charge a reasonable fee or refuse to comply if your request for access is clearly unfounded or excessive.

6. Feedback and complaints

We welcome your feedback on how we hold and use your personal information, and this can be sent to our DPO.

You have the right to make a complaint to the Information Commissioner, the UK regulator for data protection, about how we hold and use your personal information. The ICO's contact details are as follows:

Telephone: 0303 123 1113

Website: <https://ico.org.uk/concerns/>

If you would like to receive this statement in alternative format, for example, audio, large print or braille, please contact us.

7. Updates to this statement

We may update this statement at any time, and we will provide you with an updated version when we are required to do so by law.

Last updated: May 2018