

# Privacy Policy & Fair Processing Notice

## Introduction

Our Privacy Policy & Fair Processing Notice explains how we use your personal data. It also describes the categories of personal data we process and for what purposes. We are committed to collecting and using such data fairly and in accordance with the requirements of the General Data Protection Regulations (GDPR).

## Summary

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# Summary

Our Privacy Policy & Fair Processing Notice explains your privacy rights and how we gather, use and share information about you. You can get in touch with our Data Protection Representative, via email at [roger.blake@hhgroupplc.co.uk](mailto:roger.blake@hhgroupplc.co.uk) or by writing to our registered office, Borderway Mart, Rosehill, Carlisle, CA1 2RS. See sections 1 and 2 for more details.

## Your rights

You have the right to object to how we process your personal information. You also have the right to access, correct, sometimes delete and restrict the personal information we use. In addition, you have a right to complain to us and to the data protection regulator. Find out the best way to be in touch with us at [www.hhgroupplc.co.uk/contact-us](http://www.hhgroupplc.co.uk/contact-us) Information Commissioner's Office: [www.ico.org.uk/global/contact-us](http://www.ico.org.uk/global/contact-us) Section 3 gives you more information about your privacy rights.

## How we gather personal information

In addition to the information you provide to us directly, we collect personal information in a number of ways for example from third party credit reference agencies and from looking at how you have used other products and services, we offer. Sometimes for your safety and for legal reasons we collect personal information by recording and monitoring calls and from CCTV. We also record calls for training and quality control. See section 5 for more details about how we gather personal information.

## How we use your personal information

We use your personal information to provide you with products and services, to comply with the law and enforce our legal rights (including debt recovery), and to improve and market our products and services. Sometimes we use automated processes to make decisions about you and to profile you. Find out more about how we use your personal information in sections 6 and 7.

## Our products and services

We need some personal information before we can provide our products and services to you, for example to allow us to check your identity. In some cases, we will not be able to provide products and services to you if we do not have all the personal information we need. Find out more in section 7.

## Sharing and transferring personal information

We share personal information with our suppliers and other third parties where needed to provide you with the best service. We also share personal information with regulators, insurers, intermediaries, banks & finance providers, credit reference agencies / fraud prevention and law enforcement. Sometimes we transfer personal information to other countries outside the UK for these purposes, where suitable protection is in place. Sections 9 and 10 will give you further details about this.

## Keeping personal information

We keep your personal information securely for as long as we need to for the purposes described in section 11.

## Your consent

Sometimes we need your consent to use your personal information (for example for marketing). We will not always need consent to use personal information – for example if we need it to meet regulatory requirements or to perform a contract with you. Where you have given us consent, you have the right to withdraw it at any time. See sections 12 and 13 for more details.

# Full Privacy Policy & Fair Processing Notice

## 1 Introduction

- 1.1 We take your privacy seriously and you can find out about your privacy rights, and how we gather, use and share your personal information in this notice. That includes the personal information we already hold about you now and the further personal information we might collect about you, either from you or from a third party. How we use your personal information will depend on the products and services we provide to you.
- 1.2 Our Data Protection Representative (DPR) provides help and guidance to make sure we apply the best standards to protecting your personal information. You can get in touch with our Data Protection Representative, details found on our website [www.hhgroupplc.co.uk/contact-us](http://www.hhgroupplc.co.uk/contact-us) if you have any questions about how we use your personal information.  
See section 3 'Your Privacy Rights' for more information about your rights and how our DPR can help you.
- 1.3 This Privacy Notice provides up to date information about how we use your personal information and will update any previous information we have given you about using your personal information (also referred to as personal data). We will update this Privacy Notice if we make any significant changes affecting how we use your personal information, and if so we will contact you to let you know about the change.

## 2 About us

We are known as the 'controller' of personal information we gather and use. When we say 'we' or 'us' in this Privacy Notice, we mean H&H Group PLC: registered in England, Company Registration Number 36006

When we say 'Group', we mean other members of our group of companies, including holding and subsidiary companies.

Our group of companies are:

- Harrison & Hetherington Limited: registered in England, Company Registration Number 3834020
- H&H Auction Rooms: a division of Harrison & Hetherington Ltd registered in England,
- H&H Land & Estates Limited: registered in England, Company Registration Number 3780434
  - Regulated by RICS. Regulated by the Financial Conduct Authority No 709972

**Note: effective 1.9.19 H&H Land & Estates incorporates previous trading names: H&H King, Michael CL Hodgson, Smeatons Estate Agents and H&H Land and Property**
- H&H Insurance Brokers Limited: registered in England, Company Registration Number 2200510
  - Regulated by the Financial Conduct Authority No 305809
  - Member of the British Insurance Brokers Association No 004797
- in-Livestock is a Trading Name of H&H Insurance Brokers Limited
- Armitage in-Livestock is a Trading Name of H&H Insurance Brokers Limited
- Smallholder Protect is a Trading Name of H&H Insurance Brokers Limited
- H&H Reeds Limited: registered in England, Company Registration Number 139166

### 3 Your Privacy Rights

- 3.1 You have the right to object to how we use your personal information. You also have the right to see what personal information we hold about you. In addition, you can ask us to correct inaccuracies, delete or restrict personal information or to ask for some of your personal information to be provided to someone else. You can make a complaint to us by finding the best way to be in touch via the details on our website [www.hhgroupplc.co.uk/contact-us](http://www.hhgroupplc.co.uk/contact-us)
- You can also make a complaint to the data protection supervisory authority, the Information Commissioner's Office at [www.ico.org.uk](http://www.ico.org.uk)
- To make enquires for further information about exercising any of your rights in this Privacy Notice please contact our Data Protection Representative, details found on our website [www.hhgroupplc.co.uk/contact-us](http://www.hhgroupplc.co.uk/contact-us)
- 3.2 **Right to object:** You can object to our processing of your personal information. Please contact us as noted above, providing details of your objection.
- 3.3 **Access to your personal information:** You can request access to a copy of your personal information that we hold, along with information on what personal information we use, why we use it, who we share it with, how long we keep it for and whether it has been used for any automated decision making.
- You can make a request for access free of charge by contacting our Data Protection Representative at 'DPR, H&H Group PLC, Borderway, Rosehill, Carlisle, CA1 2RS'. Please make all requests for access in writing, and provide us with evidence of your identity.
- 3.4 **Right to withdraw consent:** If you have given us your consent to use personal information, you can withdraw your consent at any time and, update your marketing preferences by visiting a branch or calling us directly. For contact details, visit our website [www.hhgroupplc.co.uk/contact-us](http://www.hhgroupplc.co.uk/contact-us)
- 3.5 **Rectification:** You can ask us to change or complete any inaccurate or incomplete personal information held about you.
- 3.6 **Erasure:** You can ask us to delete your personal information where it is no longer necessary for us to use it, you have withdrawn consent, or where we have no lawful basis for keeping it.
- 3.7 **Portability:** You can ask us to provide you or a third party with some of the personal information that we hold about you in a structured, commonly used, electronic form, so it can be easily transferred.
- 3.8 **Restriction:** You can ask us to restrict the personal information we use about you where you have asked for it to be erased or where you have objected to our use of it.
- 3.9 **Make a complaint:** You can make a complaint about how we have used your personal information to us, by visiting your local branch, by contacting us via the details on our website [www.hhgroupplc.co.uk/contact-us](http://www.hhgroupplc.co.uk/contact-us) or to a supervisory authority – for the UK this is the Information Commissioner's Office at [www.ico.org.uk](http://www.ico.org.uk)
- We will not make any charge for responding to any request from you to exercise your privacy rights, and we will respond to your requests in accordance with our obligations under data protection law.

## 4 What kinds of personal information we use

4.1 We use a variety of personal information depending on the products and services we deliver to you. For all products and services, we need to use your name, address, date of birth, contact details, information to allow us to check your identity and information about your credit history. For some products and services, we might need additional information, for example:

- Financial details such as bank and payment details
- For insurance we will need to enquire about what you wish to insure such as business activities, assets and claims history
- health details for certain insurance products; and
- convictions information for fraud prevention, anti-money laundering and to meet legal obligations.
- Information about your use of our website such as your IP address, which is a unique number identifying your computer, including personal data gathered using cookies

4.2 We may also collect more limited information from you before you become a customer, when you are considering or applying for our products and services.

4.3 Sometimes where we ask for your personal information needed to enter into a contract with you or to meet a legal obligation (such as a credit check), we will not be able to provide some products or services without that personal information.

For some products and services we need to use additional personal information which we will gather about you or we will not be able to provide any of these products and services to you. See section 5 below for further details.

4.4 If you are not a customer or a prospective customer, the personal information we collect from you will depend on the type of relationship you have with us. This may be as a guarantor or referee or as the occupier, tenant or purchaser of a property or as the dependent of a customer.

## 5 How we gather your personal information

We obtain personal information:

- directly from you, for example when you fill out an application, speak to a member of staff or via written communication such as email;
- by observing how you use our products and services, or those of other members of our Group
- from other organisations such as credit reference and fraud prevention agencies;

We also may obtain some personal information from monitoring or recording calls and when we use CCTV. We will record or monitor phone calls with you for regulatory purposes, for training and to ensure and improve quality of service delivery, to ensure safety of our staff and customers, and to resolve queries or issues.

We also use CCTV on some of our premises to ensure the safety and security of our staff and customers.

## 6 How we use your personal information and our basis for doing so

To provide you with any products and services we need to know your name, address, date of birth, details of your current and previous countries of residence/citizenship, and a copy of identification documents (such as a passport or driving licence).

We sometimes need to gather, use and share additional personal information for specific purposes, which are set out in more detail below.

	Personal Information	Legal Basis	Legitimate Interest
To provide and administer our products and services, we will use:	Your personal and contact details plus any other information that is necessary for the completion of our contract.	Contract	
To check identity	Your personal details and identification documents such as driving licence and passport	Legal obligation	
To carry out credit checks	Your personal and financial details	Legitimate interest	To manage our business in an efficient way to ensure we transact with appropriate customers.
To administer payments to and from you	Your contact details The payment details that you have provided us	Contract	
To prepare internal reports and statistics	This could include personal, financial and product details	Legitimate interest	To manage our business in an appropriate and efficient way
To comply with our legal obligations, to prevent financial crime including fraud and money laundering	Any information that you have given us, that we have obtained from a third party, or that we have obtained by looking at how you use our services	Legal obligation	
For financial management and debt recovery purposes	We will give and receive information from third parties where it is necessary to recover debts due by you to us, for example solicitors, debt recovery agents and sheriff officers.	Contract Legal obligation Legitimate interests	To manage our business in an effective way. It is fair and reasonable for us to pursue monies owed to us.
To defend legal claims and disputes	We will give and receive information from third parties where it is necessary to defend ourselves against claims and disputes	Legitimate interests	To protect our business in the interest of our shareholders.
To provide customers with information (direct marketing)	We will use your personal and contact details plus the product services that you have purchased / used in the past.	Legitimate interest Consent	To develop our business in the interest of our shareholders. To assist our customers with their business transactions. To sell our products and services.
To enable payments to third parties who may have introduced us to you	Information about the nature of the products and services and the value of those.	Legitimate interest	It is in our interest to do so to provide you with the products and services that best suit you.

**6.1 For business customers, we will use personal information about key individuals in the business, so we can operate and administer the products and services which we provide to the business – to do this we will use:**

- (a) personal information about key individuals who are either a sole trader of the business or are a proprietor, director, company secretary, shareholder, partner, member, committee member, trustee, controller, beneficial owner or authorised signatory to the account of the business.
- (b) the personal information we use about key individuals is as set out in section 6, and we may use it for any of the purposes described in section 6. We may hold personal information on key individuals for the purposes of operating and administering products and services that we provide to the business, as well as for the purposes of fraud and money laundering, for debt recovery purposes, and to make credit decisions about the business.

Personal information on key individuals is obtained directly from the key individual, from the business to which the key individual is linked with, from the key individual's dealings with any member of our Group, and from fraud prevention and credit reference agencies. Such information may include special categories of personal information, such as information relating to health or criminal convictions.

## **7 Automated decision making**

### **Profiling for marketing**

We want you to get the most relevant information about products and services at the right time. The most effective way for us to do this is to use automated processes to create a profile of you for marketing.

To carry out marketing profiling we use information you give to us, details about how you have used other products and services you have with us or the Group and any feedback you have given us, information we have obtained from credit reference agencies and other external data sources and information from other companies we are partnering with.

We use processes to analyse this information to decide what products and services to offer to you and to prioritise the marketing messages you receive by; assessing your eligibility for those products and services; assessing how likely they are to be useful for you; and deciding how likely you are to respond.

We use an artificial intelligence programme, which uses data that you have provided or that we have collected from you from use of your account. We use this information to create models based on the performance of previous promotional initiatives, so that we can predict the likely success of future promotions generally, but this information is not used to make any specific decisions about you as an individual.

The partners we pass your personal information to for marketing might also carry out marketing profiling using your personal information for these purposes.

## **8 Our legal basis for using your personal information**

**8.1 We only use your personal information where that is permitted by the laws that protect your privacy rights. We only use personal information where:**

- (a) we have your consent (if consent is needed);
- (b) we need to use the information to comply with our legal obligations;
- (c) we need to use the information to perform a contract with you; and/or
- (d) it is fair to use the personal information either in our interests or someone else's interests, where there is no disadvantage to you – this can include where it is in our interests to contact you about products or services, market to you, or collaborate with others to improve our service

Where we have your consent, you have the right to withdraw it. We will let you know how to do that at the time we gather your consent. See section 12 'Keeping you up to date', clause 12.2 for details about how to withdraw your consent to marketing.

8.2 Special protection is given to certain kinds of personal information that is particularly sensitive. This is information about your health status, racial or ethnic origin, political views, religious or similar beliefs, sex life or sexual orientation, genetic or biometric identifiers, trade union membership or criminal convictions or allegations. We will only use this kind of personal information where:

- (a) we have a legal obligation to do so (for example to protect vulnerable people);
- (b) it is necessary for us to do so to protect your vital interests (for example if you have a severe and immediate medical need whilst on our premises);
- (c) it is in the substantial public interest;
- (d) it is necessary for the prevention or detection of crime;
- (e) it is necessary for insurance purposes; or
- (f) you have specifically given us explicit consent to use the information.

We use the following special categories of personal information for the following purposes:

**Health information**

- if you apply for a health related insurance product, we will require your personal information to provide you with services that are suitable for you;
- if we need to provide you with urgent medical assistance when you are on our premises;

**Racial/ethnic origin**

- we may ask for this information to fulfil our regulatory and reporting obligations relating to ensuring fairness and equality in our service delivery.

**Criminal information**

- we may use information about criminal proceedings relating to you for fraud prevention/anti-money laundering purposes and to fulfil our legal and regulatory obligations.

## 9 Sharing your personal information with or getting your personal information from others

9.1 We will share personal information within our Group and with others outside H&H Group PLC where we need to do that to make products and services available to you, market products and services to you, meet or enforce a legal obligation or where it is fair and reasonable for us to do so. See section 6 'How we use your personal information' for more information about how we do this. We will only share your personal information to the extent needed for those purposes.

9.2 Who we share your personal information with depends on the products and services we provide to you and the purposes we use your personal information for. See section 6 'How we use your personal information' for more information on who we share your personal information with and why.

9.3 Most of the time the personal information we have about you is information you have given to us, or gathered by us in the course of providing products and services to you. We also sometimes gather personal information from and send personal information to third parties where necessary for credit checking and fraud prevention or marketing purposes, for example so you can receive the best offers from us and our partners. See section 6 'How we use your personal information' for more information on who we get your personal information from and why



## 10 Transfers outside the UK

10.1 We may need to transfer your information outside the UK to other Group companies, service providers, agents, subcontractors and regulatory authorities in countries where data protection laws may not provide the same level of protection as those in the European Economic Area, such as the USA.

We may need to transfer your personal information to territories that are outside the EEA. We will only transfer your personal information outside the EEA where either the transfer is to a country which the EU Commission has decided ensures an adequate level of protection for your personal information, or we have put in place our own measures to ensure adequate security as required by data protection law. These measures include ensuring that your personal information is kept safe by carrying out strict security checks on our overseas partners and suppliers, backed by strong contractual undertakings approved by the relevant regulators such as the EU style model clauses. We also use the EU Commission approved EU-US Privacy Shield when personal information is transferred to the US.

Visit [www.privacyshield.gov](http://www.privacyshield.gov) for more information.

You can find out more information about standard contractual clauses as detailed by the ICO. Visit their website at [www.ico.org.uk](http://www.ico.org.uk) and search for 'International transfers'.

## 11 How long we keep your personal information for

11.1 How long we keep your personal information for depends on the products and services we deliver to you. We will never retain your personal information for any longer than is necessary for the purposes we need to use it for.

11.2 We will not use your personal information for marketing purposes once you no longer have any active products or services with us. We keep the other personal information we use for seven years after completion of the transaction or from the date, you last used one of our services.

11.3 We may hold information relating to insurance accounts for longer due to the requirements of your insurance contract with us. In some circumstances we will hold personal information for longer where necessary for active or potential legal proceedings, to resolve or defend claims, and for the purpose of making remediation payments.

## 12 Keeping you up to date

12.1 We will communicate with you about products and services we are delivering using any contact details you have given us – for example by post, email, text message, social media, and notifications on our app or website.

12.2 Where you have given us consent to receive marketing, you can withdraw consent, and update your marketing preferences by visiting a branch or calling us directly. For contact details, visit our website [www.hhgroupplc.co.uk/contact-us](http://www.hhgroupplc.co.uk/contact-us)

You can also update your contact preferences by visiting a branch or calling us directly. For contact details, visit our website [www.hhgroupplc.co.uk/contact-us](http://www.hhgroupplc.co.uk/contact-us)

## 13 Your online activities

13.1 We use cookies to track your use of our websites within H&H Group PLC. We may use cookies to provide tailored marketing messages when you are logged into our website, if you have given us consent.

13.2 A cookie is a small file that is sent to your browser and stored on your computer's hard disc and helps us understand and track your use of our websites and where we can improve the information and services provided. We use cookies solely to gather information on IP addresses, to analyse trends, administer the website, track your movements on the website and gather broad demographic information for aggregate use. For information about blocking the use of cookies, please refer to the instructions/help screen on your internet browser. Please note that you may not be able to use or access certain parts of the website or online services if you block the use of all cookies. For further information on our use of cookies visit:

- H&H Group PLC – [www.hhgroupplc.co.uk/policies](http://www.hhgroupplc.co.uk/policies)

# Appendices

## Appendix 1

List of our Credit Reference, Credit Rating, Debt Recovery and Fraud Prevention agencies

Supplier	Service
Experian Limited	Credit Referencing
Burnetts Solicitors	Debt Recovery
Thomas Higgins Solicitors	Debt Recovery
Buchanan MacLeod Solicitors	Debt Recovery