

# ST.ANN'S GATE ARCHITECTS

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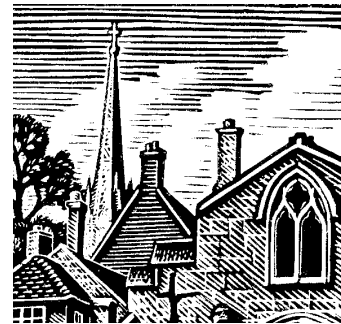
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## Data Protection Privacy Policy

### Context and Overview

#### Introduction

St. Ann's Gate Architects needs to gather and use certain information about individuals. These can include customers, suppliers, business contacts, employees and other people the organisation has a relationship with or may need to contact. This policy describes how this personal data must be collected, handled and stored to meet the company's data protection standards – and to comply with the law. Personal information (about an identifiable individual) is to be contrasted with business information (e.g., an individual's business address and telephone number), which is not protected by privacy legislation.

#### St. Ann's Gate Architects

St. Ann's Gate Architects provides architectural services to a wide variety of clients. We use a number of consultants and agencies that may, in the course of their duties, have limited access to personal information we hold. These include information technology consultants, accountants, our insurers and lawyers. We have restricted their access to any personal information we hold and much as is reasonably possible. We also have their assurance that they follow appropriate privacy principles.

#### Why this Policy Exists

This data protection policy ensures St. Ann's Gate Architects:

- Complies with data protection law and follow good practice
- Protects the rights of staff, customers and partners
- Is open about how it stores and processes individual's data
- Protects itself from the risks of data breach.

#### Data Protection Law

The Data Protection Act 2018 describes how organisations – including St. Ann's Gate Architects – must collect, handle and store personal information. These rules apply regardless of whether data is stored electronically, on paper other materials. To comply with the law, personal information must be collected and used fairly, stored safely and not disclosed unlawfully.

The Data Protection Act is underpinned by eight important principles. These say that personal data must:

1. Be processed fairly and lawfully
2. Be obtained only for specific, lawful purposes
3. Be adequate, relevant and not excessive
4. Be accurate and kept up to date
5. Not be held for any longer than necessary
6. Processed in accordance with the rights of data subjects
7. Be processed in appropriate ways
8. Not be transferred outside the European Economic Area (EEA), unless that country or territory also ensures an adequate level of protection.

### People, Risks and Responsibilities

#### Policy Scope

## **Clients**

Like most architects, we collect, use and disclose personal information about our clients in order to serve them appropriately. For our clients, the primary purpose for collecting personal information is to provide architectural services; i.e. the clients design criteria an intended uses, financial situation and, for residential projects, family circumstances so that we can advise the client as to their options.

St. Ann's Gate Architects might also collect personal information from third parties (e.g. neighbours) about a clients architectural plans so that we can ascertain how the third parties views affect our clients architectural options.

It would be rare for us to collect any personal information without the client's express consent, but this might occur in a case of (e.g. a family member who appears to be aware of the project contacts us to provide additional information)

## **Members of the General Public**

For members of the general public, our primary purpose for collecting personal information is to gather and review information that is relevant to an architectural issue affecting our clients (e.g. If they would object to a project). Thus, the personal information is usually incidental to our providing advice to our client. Normally this would be done with the consent of the individual.

Another primary purpose for collecting personal information about members of the general public is to provide notice of special events (e.g. a seminar or conference) or two make them aware of architectural services provided by our practice. For example, while we try to collect work contact information where possible we might collect home addresses, phone numbers and email addresses. We try to obtain consent before collecting any such personal information, but where this is not, for any reason, possible we will upon request remove any personal information from our distribution list.

On our website, we only collect, with the exception of cookies, the personal information of visitor to the site provides and only use that information for the purpose for which it has been provided to us (e.g. to respond to an email message, etc). Cookies are only used to help visitors navigate our website and are not you to monitor them.

## **Contract Staff, Students and Volunteers**

For people who are contracted to do work for us (e.g. temporary staff, subcontractors, students etc), our primary purpose for collecting personal information is to ensure we can contact them in the future (e.g. for new assignments) and for necessary work-related communication (e.g. sending out pay cheques, etc). Examples of the type of personal information we collect for those purposes include home addresses and telephone numbers and performance information for a review or reference letter. It is rare for us to collect such information without prior consent, but it might happen in the case of a health emergency or to investigate a possible breach of law.

## **Contractors and Suppliers**

St. Ann's Gate Architects collect personal information about contractors and other suppliers and their staff to assist us in assessing their performance, both for a specific project and in respect of future projects. We may share this information in a reciprocal way with other architects and construction contacts. Often this information is collected with consent as part of a written or verbal contract with the organisations involved. Sometimes the exceptions for collecting personal information without consent relating to publicly available information, breach of agreement and contravention of the law apply. Sometimes the information is business, not personal information.

## **Third Party Opinions**

When we are retained to provide an opinion about the work of another architect or related professional, our primary purpose for collecting such information is to gather the necessary information to express a sound opinion for our client. In such circumstances, we may act without the consent of the subject of the third-party opinion because we are inquiring into an apparent breach of law or an agreement and obtaining consent would compromise the investigation.

## **Related and Secondary Purposes for Collecting Personal Information**

Like most organisations, we also collect, use and disclose information for purposes related to or secondary to our primary purposes. The most common examples of related and secondary purposes are as follows:

- To invoice clients for services or to collect unpaid accounts
- To advise clients and others of new developments in architecture for example a newsletter sent to a home email of a client
- To advise clients and others of a specific event such as a seminar or reception
- Our practice reviews client and other files for the purpose of ensuring that we provide high quality services, including assessing the performance of our partners and staff. In addition, external consultants may on our behalf do audits and quality reviews of our practice, including reviewing client files and interviewing our staff.

Architects are regulated by the Architects Regulation Board who may inspect our records and interview our staff as part of its regulatory activities in the public interest. In addition, as professionals, we will report serious misconduct, incompetence or incapability of other practitioners, whether they belong to other organisations or our own. Our practice believes that it should report information suggesting serious illegal behaviour to the authorities. These reports could include personal information about our clients, or other individuals, to support the concern, although we try to keep this disclosure to a minimum. External regulators have their own strict privacy obligations. Also, like all organisations, various government agencies have the authority to review our files and interview our staff as part of their mandates. In these circumstances, we may consult with professionals for example lawyers, and accountants who will investigate the matter and report back to us.

Clients or other individuals we deal with may have questions about the services they receive/d. We also provide ongoing services for many of our clients over a period of months or years for which previous records are helpful. We retain our client information for a minimum of seven years after the last contact to enable us to respond to questions and provide these services.

You can choose not to be part of some of these related or secondary purposes. We do not, however, have any control over some of these related or secondary purposes (e.g. external regulation).

## Data Protection Risks

This policy helps to protect St. Ann's Gate Architects from some very real data security risks, including:

- **Breaches of confidentiality.** For instance, information being given out inappropriately.
- **Failing to offer choice.** For instance, all individuals should be free to choose how the company uses data relating to them
- **Reputational damage.** For instance, the company could suffer if hackers successfully gained access to sensitive data

## Responsibilities

Everyone who works for or with St Ann's Gate Architects has some responsibility for ensuring data is collected, stored and handled appropriately. Anyone that handles personal data must ensure that it is handled and processed in line with this policy and data protection principles.

However, these people have key areas of responsibility:

- The directors are ultimately responsible for ensuring that St. Ann's Gate Architects meets its legal obligations
- The data protection officer, Heidi Barrow, is responsible for:
  - Keeping everyone updated about data protection responsibilities, risks and issues
  - Reviewing all data protection procedures and related policies, in line with an agreed schedule
  - Arranging data protection training and advice for the people covered by this policy
  - Handling data protection questions from staff and anyone else covered by this policy
  - Dealing with requests from individuals to see the data St. Ann's Gate Architects holds about them, also called (subject access requests)
  - Checking and approving any contracts or agreements with third parties that may handle the company's sensitive data

Through our regular IT process we will:

- Ensure all systems, services and equipment used for storing data meet acceptable security standards
- Perform regular checks and scans to ensure security hardware and software is functioning properly

- Evaluate any third-party services the company is considering using to store or process data, for example cloud computing services

## Data Storage and Protecting Personal Information

We need to retain personal information for some time to ensure that we can answer any questions you might have about the services provided and for our own accountability to external regulatory bodies. However, in order to protect your privacy, we do not keep personal information any longer than necessary.

We keep our client files for a minimum of six years (up to 17 years to allow for defects if under deed). Our client and contact directories are much more difficult to systematically destroy, so we remove such information when we can if it does not appear that we will be contacting you again. However, if you ask, we will remove such contact information right away. We will keep any personal information relating to our general correspondence with people who are not our clients, newsletters, seminars and marketing activities for two years after the newsletter ceases publication or a seminar or marketing activity is over.

We destroy paper files containing personal information by shredding. We destroy electronic information by deleting it from our server. The trash bin of deleted electronic files is normally purged on a weekly basis and hard drives are reformatted when a computer is decommissioned. Backup tapes are no longer used for our server. Backups of our cloud storage are therefore in place. Alternatively, we may, with advanced notification send some or all of the client file to the client.

We understand the importance of protecting personal information. For that reason, we take the following steps:

- Paper information is either under supervision or secured in a locked or restricted area
- Paper information is transmitted through sealed, addressed envelopes or boxes by reputable companies
- Electronic information is either under supervision or secured by means of password protected software
- Electronic information is transmitted either through direct personal email address or is anonymised or encrypted
- Staff are trained to collect, use and disclose personal information only as necessary to fulfil their duties and in accordance with our privacy policy
- External consultants and agencies with access to personal information must provide us with appropriate privacy assurances

## Data Use

Personal data is of no value to St. Ann's Gate Architects unless the business can make use of it. However, it is when personal data is accessed and used that it can be at the greatest risk of loss, corruption or theft:

- When working with personal data, employees should ensure the screens of their computers are always locked when left unattended
- Personal data should not be shared informally. In particular, it should never be sent by email, as this form of communication is not secure data must be encrypted before being transferred electronically. The manager can explain how to send data to authorised external contacts
- Personal data should never be transferred outside the European Economic Area
- Employees should not save copies of personal data to their own computers. Always access and update the central copy of any data.

## Data Accuracy

The law requires St. Ann's Gate Architects to take reasonable steps to ensure data is kept accurate and up to date.

The more important it is that the personal data is accurate the greater the effort Saint Anne's gate architects should put into ensuring its accuracy.

It is the responsibility of all employees who work with data to take reasonable steps to ensure it is kept accurate and as up to date as possible.

- Data will be held in **as few places as necessary**. Staff should not create any unnecessary additional data sets
- Staff should **take every opportunity to ensure data is updated**. For instance, by confirming customers details when they call.

- St. Ann's Gate Architects will make it **easy for data subjects to update the information** St Ann's Gate Architects holds about them.
- Data should be **updated as in accuracies are discovered**. For instance, if a customer can no longer be reached on their stored telephone number, it should be removed from the database.

### Subject Access Requests

All individuals who are the subject of personal data held by St. Ann's Gate Architects are entitled to:

- Ask **what information** the company holds about them and why
- Ask **how to gain access** to it
- Be informed **how to keep it up to date**
- Be informed how the company is **meeting its data protection obligations**

With some exceptions, you have the right to see what personal information we hold about you. Upon request, we shall identify what records we have about you and will also try to help you understand any information you do not understand (e.g. short forms, technical language, etc.). We will need to confirm your identity, if we do not know you, before providing you with this access. We reserve the right to charge a nominal administration fee for such requests.

If there is a problem, we may ask you to put your request in writing. If we cannot give you access, we will tell you within 30 days if at all possible and tell you the reason, as best as we can, as to why we cannot give you access.

If you believe there is a mistake in the information, you have the right to ask for it to be corrected. This applies to factual information and not to any professional opinions we may have formed. We may ask you to provide documentation that our files are wrong. Where we agree that we made a mistake, we will make the correction and notify anyone to whom we sent this information. If we do not agree that we have made a mistake, we will still agree to include in our file of brief statement from you on the point and we will forward that statement to anyone else who received the earlier information.

### Disclosing Data for Other Reasons

In certain circumstances, the Data Protection Act allows personal data to be disclosed to law enforcement agencies without the consent of the data subject. Under these circumstances St. Ann's Gate Architects will disclose requested data. However, the data controller will ensure the request is legitimate, seeking assistance from the company's legal advisers where necessary.

## Changes to our Privacy Policy and Contact

### Changes to our privacy policy

Any changes we may make to our privacy policy in the future will be posted on the website and, where appropriate, notified to you by email.

### Contact

Mr Antony Feltham-King can be reached at:  
 St. Ann's Gate Architects Ltd  
 8 Rozelle Close  
 Littleton,  
 Winchester  
 SO22 6QP  
 01722 555200

If you wish to make a formal complaint about our privacy practices, you may make it in writing to Heidi Barrow. She will acknowledge receipt of your complaint, ensure that it is investigated promptly and provide you with a formal decision and reasons in writing.

