HML GROUP DATA PROTECTION POLICY

1. Introduction

a. The Company performs most of the daily duties of looking after the communal areas, services and facilities of properties ranging from house conversions, private estates, high-rise modern buildings and large, mixed-use developments, on behalf of the instructing client.

b. The Company is only an agent acting on behalf of the client; therefore legal responsibility for the full and proper management of the property remains with the client. This means that The Company as an agent ensures compliance with leases, conformance to legislation and codes of practice on behalf of the client. However, the client is responsible for setting policy and monitoring the work of the agent as well as instructing the agent on all matters.

c. In order to perform most of the daily duties of running a property on behalf of the client, The Company will collect and use certain types of information about the leaseholders, tenants, clients and other service users who come into contact with The Company. Data collected is also used to promote and advertise its services; maintain its own accounts and records; and support and manage its employees and contractors.

d. This personal information must be collected and dealt with appropriately whether it is collected on paper, stored in a computer database, or recorded on other material and there are safeguards to ensure this under the Data Protection Act 1998. This data protection policy will outline what The Company does with the data that is collected, who it will be shared with and how it will be stored using the agency based relationship between The Company and its clients.

e. The policy which is written below has been written to help employees understand the Data Protection requirements under the Data Protection Act 1998 but also for leaseholders, tenants, clients and other service users who come into contact with The Company understand the way The Company treats their data and the level of importance that The Company places upon complying with the Data Protection Act 1998.

2. Data Controller

a. The Company can be both the Data Processor and the Data Controller under the Act. The Company is the Data Processor when data is being processed on behalf of the instructing client; this data includes anything to do with the management of the development. The Company is the Data Controller under the Act when it creates or collects personal data other than on behalf of its clients. This could be for example when HML is using the data for the purposes of its own communications. Interpretation of this difference could be difficult and in the event of any doubt the Company's Data Controller should be contacted to provide clarification.

b. The Company is also responsible for notifying the Information Commissioners Office (ICO) of the data it holds or is likely to hold, and the general purposes that this data will be used for. Our Registration number under the ICO is shown at the top of this page.

c. The Company's Data Protection Officer (DPO) is the HML Group's Company Secretary (contact details in section 8 clause i.) and, as such, is responsible for ensuring that The Company complies with all provisions within this policy and the Act. If there are any

queries regarding any provisions inside this policy or the way your data is processed, please contact HML Group's Company Secretary.

3. Data Protection Principles

a. The Company regards the lawful and correct treatment of personal information as very important to successful working, and to maintaining the confidence of those with whom we deal.

b. The Company intends to ensure that personal information is treated lawfully and correctly.

c. To this end, The Company will adhere to the Principles of Data Protection, as detailed in the Data Protection Act 1998.

Specifically, the Principles require that personal information:

i. Shall be processed fairly and lawfully and, in particular, shall not be processed unless specific conditions are met,

ii. Shall be obtained only for one or more of the purposes specified in the Act, and shall not be processed in any manner incompatible with that purpose or those purposes,

iii. Shall be adequate, relevant and not excessive in relation to those purpose(s)

iv. Shall be accurate and, where necessary, kept up to date,

v. Shall not be kept for longer than is necessary

vi. Shall be processed in accordance with the rights of data subjects under the Act,

vii. Shall be kept secure by the Data Controller who takes appropriate technical and other measures to prevent unauthorised or unlawful processing or accidental loss or destruction of, or damage to, personal information

viii. Shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of Individuals/Service Users in relation to the processing of personal information.

4. Disclosure

a. The Company may share data with other agencies such as the local authority and police.

b. The leaseholders, clients, and other service users will be made aware how and with whom their data will be shared via The Company documentation which may include this policy, management agreements, works orders, resident's handbooks and welcome letters. There are circumstances where the law allows The Company to disclose data (including sensitive data) without the data subject's consent. These are:

i. Carrying out a legal duty or as authorised by the Secretary of State

ii. Protecting vital interests of a Individual/Service User or other person

iii. The Individual/Service User has already made the information public

iv. Conducting any legal proceedings, obtaining legal advice or defending any legal rights

v. Monitoring for equal opportunities purposes – i.e. race, disability or religion

c. Thirdly, as well as the circumstances where the law allows The Company to disclose data without the data subject's consent the data can also be disclosed in the below circumstances to allow The Company to carry out property management services on behalf of the client as Data Processors:

i. Give Individual/Service User's personal information in an emergency, such as contact details to a tradesman who needs to carry out urgent repairs on behalf of the client

ii. Disclose information to a debt collection company when a leaseholder is in service charge arrears

iii. Data can be shared with the client (the landlord or a director) of the management company (if there is one) where necessary in order for them to monitor the work of The Company and maintain the Data Processing element of the client and agent relationship. The relationship is based on the premise that documents which relate to the affairs of a client, resident management company or right to manage company are not the property of the managing agent and should always be handed over to the company on request. The below are examples where data may be shared with the client:

iv. Legal proceedings brought against the client

v. Leaseholder not paying service charges

vi. Complaints from leaseholders regarding service levels of The Company

vii. Any concerns raised by a tenant, lessee or freeholder in respect of matters relating to the management or other matters of a development.

d. Despite the above Leaseholder account information must not be divulged to other leaseholders or tenants. Members of a Residents Association or Committee are not considered Directors for this purpose therefore personal leaseholder information cannot be disclosed to them.

5. Data collection

a. The Company will ensure that data is collected within the boundaries defined in this policy. This applies to data that is collected in person, or by completing a form.

b. When collecting data, The Company will ensure that the leaseholder, tenant, client and other service user clearly understands what the data will be used for and what the consequences are should the Individual/Service User decide not to give consent to processing.

c. The Company collects the below information to carry out property management services; promote and advertise its services; maintain its own accounts and records; and support and manage its employees and contractors. This may include:

i. Personal details

ii. Family details

iii. Lifestyle and social circumstances

iv. Employment and educations details

v. Goods and services

vi. Financial details

vii. All information contained in references

viii. The Company also processes sensitive classes of information that may include:

ix. Racial or ethnic origin

x. Religious or other beliefs

xi. Trade union membership

xii. Physical or mental health details

d. The Company processes personal information about:

i. Clients

ii. Tenants

iii. Leaseholders

iv. Professional advisers and consultants

v. Complainants, enquirers

vi. Suppliers/contractors

vii. Landlords

viii. Employees

6. HML Staff Roles and Responsibilities

a. Managers are responsible for:

i. Ensuring that data protection requirements are observed

ii. Providing clear messages to their staff regarding appropriate processing of the personal data that they handle

iii. Identifying and addressing training needs within the team and informing the DPO if the available training will not address their needs

iv. Consulting the DPO before processing personal data for a new purpose

v. Informing the DPO of any data subject requests or complaints.

b. All employees are responsible for:

i. Complying with the data protection principles, as supported by the Policy, guidance on the application of the Policy and associated policies and guidance, such as the HML IT Security Policy and Procedures

ii. Contacting their manager or the DPO for guidance if they are in any doubt abouthow they should deal with certain personal data

iii. Only processing personal data in the manner that is authorised for the purpose of carrying out their job or with management authorisation.

c. The Company takes data protection compliance very seriously; any breach of data protection legislation, local data protection procedures and/or the provisions of the Data Protection Policy may render staff liable to internal disciplinary proceedings (staff handbook on HML HR site). Staff should be aware that it is a criminal offence to breach certain provisions of the Act. Knowingly or recklessly obtaining or disclosing personal data may leave an individual employee liable to prosecution.

7. Data Storage

a. The Company takes steps to ensure that personal data is kept secure at all times against unauthorised or unlawful loss or disclosure. The following measures are being taken:

i. Using lockable cupboards (restricted access to keys)

ii. Archived data is kept off site with a secure third party storage company

iii. Password protection on personal information files

iv. Setting up computer systems to allow restricted access to certain areas

v. Copies of programs or data must not be taken or removed from the Company's premises without the express permission of a line manager. However, when data is taken off site on laptops and mobiles, the Company aims to protect the data on these medias by instructing staff to log-on to the network using your own account and keeping their passwords confidential.

vi. Back up of data on computers kept on separate hard drives on a secure server on site

b. Information will be stored for only as long as it is needed or required statute and will be disposed of appropriately.

c. It is The Company's responsibility to ensure all personal and company data is non-recoverable from any computer system previously used within the organisation, which has been passed on/sold to a third party.

8. Data access and accuracy

a. Service users whose personal information we process have the right to know:

   i. What information we hold and process on them

   ii. How to gain access to this information

   iii. How to keep it up to date

   iv. What we are doing to comply with the Act.

b. Service users also have the right to prevent processing of their personal data in some circumstances and the right to correct, rectify, block or erase information regarded as wrong.

c. Service users have a right under the Act to access certain personal data being kept about them on computer and certain files. Any person wishing to exercise this right should apply in writing to the Data Protection Officer below.

d. The following information will be required before access is granted:

   i. Full name and contact details of the person making the request

   ii. Their relationship with The Company

   iii. Any other relevant information - e.g. timescales involved

   iv. Reference number held on record by The Company – e.g. 'T'Reference or company reference

e. We may also require proof of identity before access is granted. The following forms of ID will be required:

   i. Photographic identification - e.g. Passport, drivers licence.

f. Queries about handling personal information will be dealt with swiftly and politely.

g. We will aim to comply with requests for access to personal information as soon as possible, but will ensure it is provided within the 40 days required by the Act from receiving the written request.

h. This policy was last updated on the 1st January 2016 and will be reviewed at least once a year and updated as necessary to reflect best practice in data management, security and control and to ensure compliance with any changes or amendments made to the Data Protection Act 1998.

i. In case of any queries or questions in relation to this policy please contact The Company's Data Protection Officer:
James Howgego
Company Secretary – Data Protection Officer HML Holdings plc
9-11, The Quadrant, Richmond, Surrey, TW9 1BP

9. Glossary of Terms

a. Agent – Individual/company instructed to act on behalf of the client when it comes to day to day management of their development. In relation to this policy the agent is The Company

b. Client – This term refers to either the freeholder, residents management company, right to management company or developer which instructs The Company

c. Data Controller – The person who (either alone or with others) decides what personal information The Company will hold and how it will be held or used.

d. Data Protection Act 1998 – The UK legislation that provides a framework for responsible behaviour by those using personal information.

e. Data Protection Officer – The person(s) responsible for ensuring that The Company follows its data protection policy and complies with the Data Protection Act 1998.

f. Explicit consent – is a freely given, specific and informed agreement by an Individual/Service User in the processing of personal information about her/him. Explicit consent is needed for processing sensitive data.

g. The Company – is the agent working on behalf of the client and also comprises any trading names of The Company.

h. Individual/Service User – The person whose personal information is being held or processed by The Company for example: a client, an employee, a supporter, a leaseholder, a tenant, a contractor, and a supplier etc.

i. Information Commissioner – The UK Information Commissioner responsible for implementing and overseeing the Data Protection Act 1998.

j. Notification – Notifying the Information Commissioner about the data processing activities of The Company, as certain activities may be exempt from notification.

k. Personal Information – Information about living individuals that enables them to be identified – e.g. name and address. It does not apply to information about organisations, companies and agencies but applies to named persons, such as individual volunteers or employees of The Company.

l. Processing – means collecting, amending, handling, storing or disclosing personal information.

m. Sensitive data – refers to data about:

   i. Racial or ethnic origin

   ii. Political affiliations

   iii. Religion or similar beliefs

   iv. Trade union membership

   v. Physical or mental health

vi. Sexuality

vii. Criminal record or proceedings n. Vital Interest (Disclosure) - Vital interests do not mean just ‘life or death’ situations but can also include situations where there is a risk of significant harm to life.

HML COMPANY DETAILS:

HML HOLDINGS Plc
9-11 The Quadrant
Richmond
TW9 1BP
Data Protection No: ZA155850

HML PM Limited
Data Protection Registration No: Z9099520

HML HATHAWAYS Limited
Data Protection No: Z1655720

HML HAWKSWORTH Limited
Data Protection No: Z5226890

HML SHAW Limited
Data Protection No: Z5541333

HML ASHTON CHATER Limited
Data Protection No: Z3110563

SHAW & COMPANY (Surveyors) Limited
Data Protection No: ZA229648

ALEXANDER BONHILL Limited
Data Protection No: ZA155848

www.hmlgroup.com
info@hmlgroup.com