

Alpha-Tec Party Wall Surveyors Ltd – Privacy Notice

1. WHO WE ARE

Alpha-Tec Party Wall Surveyors Ltd provides professional services in connection with the Party Wall etc. Act 1996.

For data protection purposes, Alpha-Tec Party Wall Surveyors Ltd is the data controller for personal information that we collect and use.

For all enquiries concerning personal information or data protection, please contact us by email:

Email: info@alpha-tec-partywall-surveyors.com

2. WHY WE HOLD PERSONAL INFORMATION

The nature of party wall work means that we may need to hold limited personal information about building owners, adjoining owners, appointed surveyors and other people involved with a property or party wall matter.

In most cases, this information is held simply because it is necessary for us to provide our professional services or to carry out functions arising under the Party Wall etc. Act 1996.

For example, where building works are proposed, we may need to identify the owners of neighbouring properties, communicate with them or their appointed surveyors, serve or receive documents, arrange inspections, prepare Schedules of Condition, consider matters in dispute and prepare, agree or serve Party Wall Awards.

This means that we may hold information about you even where you have not personally instructed Alpha-Tec Party Wall Surveyors Ltd. This may occur, for example, where you own or occupy a property adjoining building works for which we have been instructed, or where we have been appointed or selected as a surveyor under the Party Wall etc. Act 1996.

We only collect and use personal information where there is a genuine reason for doing so.

3. WHAT PERSONAL INFORMATION WE MAY HOLD

Depending upon the circumstances, we may hold:

- your name;



- your postal address and the address of a property in which you have an interest;
- your email address and telephone number;
- information about ownership or occupation of a property;
- information obtained from HM Land Registry or other publicly available records;
- correspondence sent to or received from you;
- correspondence with other surveyors, property owners, designers, engineers or other relevant parties which refers to you or your property;
- Party Wall Notices, letters of appointment, acknowledgements, consents and other documents connected with a party wall matter;
- drawings, plans, specifications and other information concerning proposed building works;
- photographs and other records of the condition of a property, including photographs taken when preparing a Schedule of Condition;
- notes of telephone calls, meetings, inspections or other relevant communications;
- records relating to Party Wall Awards or other matters considered by appointed surveyors;
- information concerning enquiries, complaints or legal claims; and
- financial information where necessary for invoicing, payment and accounting purposes.

We do not intentionally collect more personal information than is reasonably required for the matter with which we are dealing.

4. WHERE WE OBTAIN INFORMATION FROM

We may obtain personal information:

- directly from you;
- from a building owner or adjoining owner;
- from another appointed or selected Party Wall Surveyor;
- from architects, designers, structural engineers or other professional advisers involved with the relevant works;
- from HM Land Registry;
- from local authorities or other public bodies;
- from publicly available sources; or
- from correspondence, documents or other information provided to us in connection with a party wall matter.

Because Party Wall matters usually involve neighbouring properties and a number of different parties, information may sometimes be provided to us by somebody other than the person to whom it relates.

5. HOW AND WHY WE USE PERSONAL INFORMATION

We may use personal information where necessary to:



- respond to enquiries and provide quotations;
- enter into and perform contracts for our professional services;
- establish the ownership or occupation of properties affected by proposed works;
- prepare and serve notices and other documents;
- communicate with building owners, adjoining owners and appointed or selected surveyors;
- arrange and undertake property inspections and prepare Schedules of Condition;
- consider drawings, structural information and other documents relating to proposed works;
- carry out our functions where appointed or selected as a surveyor under the Party Wall etc. Act 1996;
- consider and determine matters in dispute between building owners and adjoining owners;
- prepare, agree and serve Party Wall Awards and associated documents;
- maintain an appropriate professional record of the work we have undertaken;
- deal with enquiries, complaints, claims or legal proceedings;
- comply with our legal, regulatory, taxation and accounting obligations; and
- establish, exercise or defend legal rights.

Personal information obtained for a Party Wall matter is not used for unrelated purposes.

6. OUR LAWFUL BASIS FOR USING YOUR INFORMATION

UK data protection law requires us to have a lawful basis for collecting and using personal information. The lawful basis will depend upon why we need the information.

Contract

Where you instruct Alpha-Tec Party Wall Surveyors Ltd, we may need to use your personal information in order to take steps at your request before entering into a contract and to provide the professional services you have instructed us to undertake.

Legal obligations and functions arising under the Party Wall etc. Act 1996

Party wall work is governed by the Party Wall etc. Act 1996.

Where a dispute arises or is deemed to have arisen and surveyors are appointed or selected under section 10 of the Act, those surveyors perform functions prescribed by the Act. The proper performance of those functions necessarily involves receiving, considering, recording and communicating information concerning the relevant owners, properties and proposed works.

We may therefore process personal information where this is necessary in connection with those statutory functions and our associated legal obligations.



We may also process information where necessary to comply with other legal obligations applying to our business, including taxation and accounting requirements.

Legitimate interests

In some circumstances we may process limited personal information where it is reasonably necessary for our legitimate interests or those of another person and where those interests are not overridden by your data protection rights.

This may include maintaining appropriate professional records, responding to complaints or enquiries and establishing, exercising or defending legal rights.

We do not rely upon consent where the information is required in order for us to carry out our professional or statutory functions.

7. PHOTOGRAPHS AND SCHEDULES OF CONDITION

As part of Party Wall procedures, we are frequently asked to prepare or review a Schedule of Condition of a property before building works commence.

This normally involves taking photographs of relevant parts of the property and recording its existing condition.

These photographs are taken as a record of the property rather than for the purpose of identifying or monitoring individuals. Nevertheless, photographs may occasionally contain personal information, for example where personal belongings or individuals are incidentally visible.

Schedule of Condition records and photographs are used only in connection with the relevant professional matter, including the investigation of any subsequent allegation of damage.

8. WHO WE MAY SHARE INFORMATION WITH

We do not sell personal information and we do not provide it to third parties for their own marketing purposes.

Where reasonably necessary for a Party Wall matter, information may be shared with:

- the relevant building owner or adjoining owner;
- Party Wall Surveyors appointed or selected under the Party Wall etc. Act 1996;
- architects, designers, structural engineers or other professional consultants involved with the relevant works;
- contractors, where information is reasonably required for compliance with a Party Wall Award or the carrying out of relevant works;
- our professional, legal or insurance advisers;



- courts, tribunals, regulatory authorities or law-enforcement bodies where disclosure is required or otherwise lawful;
- accountants or other professional advisers; and
- organisations providing IT, email, data storage or other services to us.

We only share information where there is an appropriate reason for doing so and endeavour to limit any information shared to that which is reasonably necessary for the purpose concerned.

9. HOW LONG WE KEEP INFORMATION

We keep personal information only for as long as we reasonably need it for the purpose for which it was collected and to meet our professional, legal, taxation and insurance requirements.

As a general rule, records relating to completed Party Wall matters are retained for six years following completion or closure of our involvement.

Some information may need to be retained for longer where this is reasonably necessary, for example where:

- a dispute, complaint or legal claim is ongoing or reasonably anticipated;
- the information forms part of a continuing Party Wall Award or related matter;
- there is a legal, taxation, insurance or regulatory reason for retaining it; or
- the information is required to establish, exercise or defend legal rights.

Information which no longer needs to be retained will be securely deleted or destroyed in accordance with our normal record-management procedures.

10. YOUR DATA PROTECTION RIGHTS

Depending upon the circumstances and the lawful basis upon which your information is being processed, you may have the right to:

- ask us for a copy of personal information we hold about you;
- ask us to correct personal information which you believe is inaccurate or incomplete;
- ask us to erase personal information in certain circumstances;
- ask us to restrict the use of your personal information in certain circumstances;
- object to the processing of your personal information in certain circumstances; and
- ask us to transfer information you provided to us where the right to data portability applies.

These rights are subject to the provisions and exemptions contained within data protection law. They do not necessarily mean that we are required to delete or disclose every item of information requested.



For example, we may be entitled or required to retain information where it remains necessary for the performance of our professional or statutory functions, to comply with a legal obligation, or for the establishment, exercise or defence of legal claims.

11. SUBJECT ACCESS REQUESTS

You have the right to ask us for access to personal information that we hold about you. This is commonly known as a Data Subject Access Request (DSAR).

There is normally no charge for making a request.

When responding to a request, we may need to verify your identity or ask for further information where reasonably necessary to identify the personal information being requested.

Data protection legislation contains exemptions and protections concerning information which also relates to other individuals, legally privileged material and certain other categories of information. We will consider these where applicable before information is disclosed.

We will respond to valid requests within the period required by data protection law.

Data Subject Access Requests should be sent by email to:

info@alpha-tec-partywall-surveyors.com

12. KEEPING YOUR INFORMATION SECURE

We take reasonable technical and organisational measures to protect the personal information we hold against accidental loss, misuse, unauthorised access, alteration or disclosure.

Access to records is limited to those who reasonably require access for business or professional purposes.

Where we use third-party service providers to store or process information on our behalf, we take reasonable steps to use reputable providers and appropriate data-protection arrangements.

13. OUR WEBSITE

Our website may collect limited technical information necessary for its operation and security.

Where cookies or analytics services are used, further information will be provided through our website cookie information or cookie settings where applicable.



Our website may contain links to websites operated by other organisations. We are not responsible for the privacy practices of those organisations and you should refer to their own privacy information.

14. COMPLAINTS AND CONTACTING US

If you have any questions about this Privacy Notice, wish to exercise a data protection right or are concerned about the way we have handled your personal information, please contact us by email:

info@alpha-tec-partywall-surveyors.com

Email is our preferred method of communication for data protection matters as it enables us to maintain an accurate record of your request and ensure that it is dealt with promptly.

We will consider your enquiry and respond as soon as reasonably practicable.

If you remain dissatisfied with the way we have handled your personal information, you also have the right to complain to the Information Commissioner's Office (ICO), the UK's data protection regulator.

Further information about your rights and how to make a complaint is available from the ICO.

15. CHANGES TO THIS PRIVACY NOTICE

We may update this Privacy Notice from time to time to reflect changes in our working practices, legal requirements or data protection guidance.

The current version will be published on our website.

