

RETENTION OF RECORDS

COMPLAINTS/ENQUIRIES

If you make a complaint or an enquiry relating to the Code, we will hold the information securely and use it to help us to process your request. We may also need to show some of it to other people, such as the Code's supporting Home Warranty Bodies (LABC Warranty, NHBC and Premier Guarantee) so they can help us with our response.

Where a complaint has been made about a home builder; or about an alleged breach of the Code, while we cannot provide specific advice and guidance, we will try to provide as much information as possible in relation to the Code Requirements and the Code's Independent Dispute Resolution Scheme.

As such, while we will not retain the material you have sent us and this information is destroyed (deleted if by email), as soon as practicably possible after a response has been provided, we will keep a record of the complaint/enquiry and details of our response for two years, as this helps if you complain to us again.

DECISIONS MADE UNDER THE INDEPENDENT DISPUTE RESOLUTION SCHEME

For those cases that have gone through the Code's Independent Dispute Resolution Scheme, and on which an Adjudicator has made a decision, we are provided with a copy of that decision by the Scheme Administrators as set out under the Scheme Rules.

We keep a copy of the decision for six years and most decisions are published on our website in an anonymised form so that none of the parties can be identified. The decision will also be shared with the appropriate supporting Home Warranty Body for purposes of monitoring compliance with the Code and for any potential enforcement action.

ISSUES OF NON-COMPLIANCE WITH AN ADJUDICATOR'S DECISION

If the relevant Home Warranty Body believes that a Home Builder has failed to comply with the Adjudicator's final Decision it has the power to impose, under its Registration Scheme, any disciplinary sanction it is entitled to impose. This may include, in the most severe of cases, cancellation of their registration.

In such circumstances, the other supporting Home Warranty Bodies will be notified of the action taken as cancellation of registration with one will have the effect of cancelling registration with all as per the Consumer Code Scheme Rules.

Details of such decisions made and action taken will be retained for six years. Details may also be published on our website and which may be in an anonymised form so as not to identify the complainant.

COMPLIANCE INFORMATION

Home Builders are required to make reasonable efforts to record compliance information and provide this, upon request, to the Code's secretariat or the relevant Home Warranty Bodies.

The Secretariat and Home Warranty Bodies have the right to collect, use and disclose compliance information (including by publishing and by sharing it with other Home Warranty Bodies, the Management Board and the Advisory Forum) when this is:

- necessary or helpful to support the effective working of the Code;
- helpful in improving levels of customer satisfaction in the house-building industry;
- necessary to fulfil a duty imposed by law.

However, the disclosure of compliance information will not enable individual Home Builders or Home Buyers to be identified by those to whom it is disclosed, except when:

- necessary to fulfil a duty imposed by law;
- restricted to any or all of the other Home Warranty Bodies, the Management Board and the Advisory Forum.

Such compliance information will be retained for six years.

GENERAL

We regularly review information recorded and will delete any information considered no longer relevant.

For any questions on the use and/or retention of your data, please contact secretariat@consumercod.co.uk.