

## Tenant Enquirer Privacy Notice

Emmerson & Co is committed to protecting and processing your personal data in accordance with the General Data Protection Regulations and the Data Protection Act 2018 (the legislation). For the purpose of the legislation and your personal data, Emmerson & Co is the Data Controller, Stephen Emmerson is the person responsible for data protection and can be contacted at Emmerson & Co, 40 Broadway, Maidenhead, Berkshire SL6 1LU, telephone number 01628 633893 or email [info@emmersons.co.uk](mailto:info@emmersons.co.uk).

The General Data Protection Regulations are to safeguard your personally identifiable information or personal data. This privacy notice will be regularly reviewed and updated.

### Information held

The personal data we process may include the information in column A of the attached appendix and may also include other sensitive data concerning health, if relevant to your application. Where the provision of data is a statutory, a contractual requirement or a requirement necessary to enter into a contract, a refusal to provide the data may mean that we are unable to provide you with our service.

To ensure that we provide you with the best service possible we will need to collect and retain certain personal data. The data may be collected and processed by those listed in columns B and F. How we source the data is identified in column C. We may source data from 3<sup>rd</sup> parties or via third parties e.g. Credit referencing company.

### Lawful basis of processing

Your personal data will be used for the activities in column D. There are 6 lawful basis of processing your data including consent, a legitimate interest, contract fulfilment, a legal obligation and a vital interest. For each usage of the date the lawful basis of the processing of your data will be identified in column E. A legitimate interest is when we have a business or commercial reason to process your personal data which needs to be balanced with your interests i.e. what is right and best for you.

Where we state that we have a legitimate interest, the fact that we have a legitimate interest and what that legitimate interest is, will be stated in column E, e.g. keeping in touch with you whilst you are looking for a property; to seek your consent when we need it to contact you.

### Online identifiers, IP addresses and cookie identifiers

Where you visit our website we may collect information about your computer, including where available your IP address, operating system and browser type, for system administration and to report aggregate information to our advertisers. This is statistical data about our users' browsing actions and patterns.

We may obtain information by using a cookie file which is stored on the hard drive of your computer. Cookies contain information that is transferred to your computer's hard drive. They help us to improve our site and to deliver a better and more personalised service. They enable us:

- To estimate our audience size and usage pattern.
- To store information about your preferences, and so allow us to customise our site according to your individual interests.
- To speed up your searches.
- To recognise you when you return to our site.

You may refuse to accept cookies by activating the setting on your browser which allows you to refuse the setting of cookies. However, if you select this setting you may be unable to access certain parts of our site. Unless you have adjusted your browser setting so that it will

refuse cookies, our system will issue cookies when you log on to our site. You can find more information about cookies at [www.allaboutcookies.org](http://www.allaboutcookies.org)

This policy only applies to our site. If you leave our site via a link or otherwise, you will be subject to the privacy policy of that website provider. We have no control over that privacy policy or the terms of the website and you should check their privacy policy before continuing to access the site.

## **Recipients of personal data**

It will be necessary for us to process or share all or some of your personal data with a range of individuals, businesses and organisations and these may include those listed in column F.

## **Where is the data stored?**

Your personal data is stored in the way described in column G and the data is always stored within the European Union or outside of the European Union but with an organisation operating under the General Data Protection Regulations.

## **Retention period and criteria used to determine the retention period**

We will retain some elements of your personal data for up to the time defined in column H after your enquiry. What information can be anonymized will be when no longer required for either contractual fulfilment or a legitimate interest. If the lawful basis for processing your data was consent then you may withdraw consent at any time.

Where you have done a property viewing we will hold your data for a longer period of time compared to if you have only enquired of our service and we have been unable to help you.

## **Your rights**

You have a right of access to check your personal data to verify the lawful basis of processing. We are obliged to respond to an access request within 30 days and may not charge a fee unless the request is unfounded, excessive or repetitive. If a fee is charged it is to be a reasonable fee based upon the administrative cost of providing the information.

You have a right to rectification if the data we hold is either inaccurate or incomplete. If your data has been disclosed to third parties then we must inform them of the rectification, where possible.

You have a right to erasure of your data when consent is our basis of processing (the right to be forgotten). You may request that your personal data be erased, for example, where there is no compelling reason for its continued processing or where you withdraw consent. We will comply with your request unless we have another basis of processing justifying our retaining the data (for example a legal requirement or the defence of a legal claim).

You have some rights to ask us to restrict processing i.e. to block or suppress processing where, for example, the data may be incorrect and whilst the accuracy is verified. We are permitted to store the data.

## **Your right to object**

You do have a right to object to further processing of your personal data. We may be required to stop processing unless there is some other legitimate basis of processing such as a legitimate interest or a requirement for the exercise or defence of a legal claim.

## **Withdrawal of consent**

Where the lawful basis for processing is your consent, you may withdraw consent at any time by writing to Mr Stephen Emmerson at Emmerson & Co, 40 Broadway, Maidenhead, Berkshire SL6 1LU or emailing [info@emmersons.co.uk](mailto:info@emmersons.co.uk).

## **How to lodge a complaint with the supervisory authority**

The supervisory authority responsible for data protection is the Information Commissioners Office (ICO) to whom concerns may be reported by phone on **0303 123 1113** or +44 1625 545 745 if calling from outside the UK, by email using the form on the website [ico.org.uk](http://ico.org.uk) or the livechat function.

## Data Analysis

A	B	C	D	E	F	G	H
Information held	Who is collecting it	How is it collected	Why is it collected	Lawful basis for processing	Who will it be shared with	How stored	When will it be deleted
Tenant Enquirer's name	Staff of Emmerson's	Phone, email, self-registration, website, face to face	To add to database	Consent	Staff	Database, back-up, cloud	On request or within 3 months of registration
			To contact	Consent	Staff	Database, back-up, cloud	On request or within 3 months of registration
			To create an enquirer's record	Consent	Staff	Database, back-up, cloud	On request or within 3 months of registration
			To create applicant process	Consent	Staff	Database, back-up, cloud	On request or within 3 months of registration
			To give to tenant for viewing	Consent	Staff, current tenant	Database, back-up, cloud	On request or within 3 months of registration
Tenant Enquirer's contact details	Staff of Emmerson's	Phone, email, self-registration, website, face to face	To add to database	Consent	Staff	Database, back-up, cloud	On request or within 3 months of registration
			To contact	Consent	Staff	Database, back-up, cloud	On request or within 3 months of registration
			To create an enquirer's record	Consent	Staff, Landlords	Database, back-up, cloud	On request or within 3 months of registration
			To give or discuss with Landlord	Consent	Staff, Landlords	Database, back-up, cloud	On request or within 3 months of registration
			To give to tenant for viewing	Consent	Staff, current tenant	Database, back-up, cloud	On request or within 3 months of registration
Tenant Enquirer's email	Staff of Emmerson's	Phone, email, self-registration, website, face to face	To add to database	Consent	Staff	Database, back-up, cloud	On request or within 3 months of registration
			To contact	Consent	Staff	Database, back-up, cloud	On request or within 3 months of registration