

# Data Protection Notice – For Clients, Landlords, Tenants, Suppliers, Contractors, Business Contacts and Potential Clients

## 1. Who We Are

We are Laws & Fiennes. We are an independent partnership offering rural estate management and associated professional work. We are regulated by the Royal Institute of Chartered Surveyors - Firm number 004163.

We promise:

To do our best to keep your data safe, in addition to respecting the privacy of clients and others.

Never to sell, swap or rent your data to third parties.

To give you ways to control the use of your data whenever we can.

## 2. We are a Data Controller

This means that we are responsible for deciding how we hold and use personal information about you and explaining it clearly to you. In some circumstances, we are a Joint Controller, meaning that the organisation who provides the data to us, or the organisation we share that data with will also be responsible for deciding how the personal data is held and used.

## 3. Data Protection Notice

This applies to all clients (including prospective and former clients along with employees and representatives of business clients) of Laws & Fiennes; current, former and prospective contacts for both individual and businesses; referrers; individuals who request information from us; tenants of clients; any person who provides services to Laws & Fiennes or the clients of Laws & Fiennes, either as an individual or as the employee or representative of a corporate service provider; third parties acting for our clients.

## 4. Notice Updates

We reserve the right to update this notice at any time. We will notify you of any substantial updates. Should there need to be any additional processing or personal data, we will notify you separately.

## 5. Data Protection Contact

If you have any queries about Data Protection in relation to Laws & Fiennes please contact Neil Holiday:

Email: DPO at [landagent@lawsandfiennes.co.uk](mailto:landagent@lawsandfiennes.co.uk)

Address: Warren Lodge, Broughton OX15 5EF

Telephone: 01295 256870

## 6. How We Collect Information

We collect personal information directly from our clients, our suppliers, our business contacts and contractors both at the start of the relationship and throughout.

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Where the personal data is not collected directly from the data subject, it will have been obtained from one of the following sources:

- the client – both for the client’s staff and the tenants
- the supplier – for contact details of individuals within the supplier’s organisation
- credit reference agencies – where we carry out due diligence on a client or supplier
- professional website – for details of professional accreditations and contact details of suppliers
- other professional as are involved in the matter including other surveyors, solicitors, accountants etc

We may also collect information about clients, our suppliers, our business contacts and contractors from public sources, such as social media, online searches and Companies House.

## **7. Purpose for Processing Personal Data**

The purpose of processing personal data is to fulfil our contractual duties towards our clients and their tenants in respect of the establishment of contracts and maintenance of the properties, in addition to surveying work.

The personal data collected and processed are:

- email address
- name
- address
- mobile number
- telephone number
- professional registrations (as applicable)
- VAT registration (as applicable)
- gas safety registration (as applicable)
- qualifications (as applicable)
- information revealed during due diligence checks (may include nationality and date of birth)

## **8. Special Category Personal Data**

We do not collect or process information relating to special category personal data as part of our day to day work (e.g. sex life, ethnicity, religion, political opinions, health, trade union membership etc).

Such information may become necessary in order to comply with our legal obligations (such as Health and Safety, Money Laundering Regulations or Equality Act claims). Where it does, such personal data will only be collected, processed and retained for such specific purposes.

## **9. Childrens’ Information**

Our services are directed at adults. The only reason we would collect and process personal information relating to a child were if it was a legal requirement. If you suspect we hold or process any information relating to children under the age of 13, please notify us.

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## 10. Lawful Basis for Processing

The majority of the processing of personal data we carry out is on a **contractual basis**, in order to fulfil our contracts with our clients to maintain property, carry out surveying work, for the purpose of acquisitions or project management.

We will process the data of potential suppliers on the basis of **legitimate interests**, in order to potentially enter into a contract for supply of goods or services. This may include personal data such as names, telephone numbers and email addresses.

Occasionally, we will process personal data in accordance with our **legal obligations**. This may include special category personal data as detailed above. Where we do so, it may be without your knowledge or consent as required or permitted by law.

## 11. The Legitimate Interests for the Processing

Processing on the basis of legitimate interest is purely in order to potentially enter into a contract for supply of goods or services.

## 12. The Recipients or Categories of Recipients of the Personal Data

We do not sell or rent personal data to third parties. We do not share personal data for marketing purposes.

We do pass on personal data, such as name, address and contact number, to third party suppliers as necessary to fulfil our contractual obligations.

For the purpose of fulfilling our legal obligations, we will pass on personal data to Government Agencies, or our legal advisors as required.

We use a wide range of third party companies to assist with fulfilling our contractual and legal duties. Appendix 1 contains the third party companies and organisations Laws & Fiennes typically contracts with and a list of the data that would typically be provided to them.

## 13. The Details of Transfers of the Personal Data to any Third Countries or International Organisations

All personal data held or processed by or on behalf of Laws & Fiennes is held and processed within the UK and the European Union.

## 14. The Retention Periods for the Personal Data

Personal data will be held for as long as the tenancy continues.

Beyond the end of the management of the premises, personal data will be retained for a maximum of 6 years.

## 15. The Rights Available to Individuals in Respect of the Processing

Individuals have the following rights in relation to the personal data used for delivering our services:

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- **The Right to be Informed** – this Data Protection Notice tells you about the processing of personal data, your rights and our responsibilities.
- **The Right to Access** – you can write to the DPO at the above details to request what personal data is held about you. We will confirm that you are the correct Data Subject and it will take up to 30 days from the original request to send a full response.
- **The Right to Rectification** – if any of your data is incorrect or requires updating, please notify to the DPO and the data will be rectified with 72 hours.
- **The Right to Restrict Processing** – you have the right to request that the processing of your personal data be restricted. We may not have to grant this right where processing is for the purpose of contractual or legal obligations. Any request for restriction will receive a response within 14 calendar days.
- **The Right to Erasure** – you have the right to request that data held on you be erased. We may not have to grant this right where processing is for the purpose of contractual or legal obligations. Any request for erasure will receive a response within 14 calendar days.
- **The Right to Data Portability** – you have the right to request to take your personal data that you have provided with you. We may not have to grant this right where processing is for the purpose of contractual or legal obligations. Any request a data transfer will receive a response within 14 calendar days.
- **The Right to Object to Processing** – you have the right to object to processing of your personal data. We may not have to grant this right where processing is for the purpose of contractual or legal obligations. Any objection to processing will receive a response within 14 calendar days
- **Rights in Relation to Automated Decision Making and Profiling** – you have rights in relation to automated decision making and profiling. We do not use any automated decision making or profiling.

## 16. The Right to Withdraw Consent

Where processing is based on consent, you have the right to withdraw such consent whenever you choose.

## 17. The Right to Lodge a Complaint with a Supervisory Authority

Please let us know if you are unhappy with how we have used your personal information.

You also have the right to complain to the Information Commissioner’s Office.

Details of how to are available on their website: <https://ico.org.uk/concerns/>

Or you can write to the ICO at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Or you can telephone the ICO on: 0303 123 1113

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## **18. The Details of Whether Individuals are Under a Statutory or Contractual Obligation to Provide the Personal Data**

There are contractual obligations in placed for providing the personal data and both legal and contractual obligations upon Laws & Fiennes to collect such.

Thank you for taking the time to understand how Laws & Fiennes will use your data and thank you for trusting us with your personal data.

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**APPENDIX 1 - Data Protection Notice**

Process	Data Item	Data Subject	Legal Basis	Purpose for collecting	Third Parties involved	Reason	Data Retention
Entering tenancy	Name Address Telephone number Email address	Tenant	Contract (client and tenant)  Legal obligation with Statutory Bodies	To enter into and maintain the tenancy contract	<ul style="list-style-type: none"> <li>• Client – shared with / provided by</li> <li>• Valuer – shared with</li> <li>• Statutory bodies – shared with</li> <li>• Letting agent – shared with / provided by</li> <li>• Credit Reference Agencies – shared with / provided by</li> <li>• Microsoft Exchange – shared with</li> </ul>	<ul style="list-style-type: none"> <li>• To enter the contract</li> <li>• To allow access for valuation</li> <li>• Legal obligation</li> <li>• To facilitate the contract</li> <li>• To carry out due diligence.</li> <li>• Used for the exchange of emails</li> </ul>	Duration of the management of the premises plus maximum archive period
Entering tenancy	Name Address Telephone number Email address	Client (inc individuals at corporate client as appropriate)	Contract (client and tenant)  Legal obligation with Statutory Bodies	To enter into and maintain the tenancy contract	<ul style="list-style-type: none"> <li>• Tenant – shared with</li> <li>• Valuer – shared with</li> <li>• Statutory bodies – shared with</li> <li>• Letting agent – shared with / provided by</li> <li>• Credit Reference Agencies – shared with / provided by</li> <li>• Microsoft Exchange – shared with</li> </ul>	<ul style="list-style-type: none"> <li>• To enter the contract</li> <li>• To allow access for valuation</li> <li>• Legal obligation</li> <li>• To facilitate the contract</li> <li>• To carry out due diligence.</li> <li>• Used for the exchange of emails</li> </ul>	Duration of the management of the premises plus maximum archive period
Contract for services	Name Address Telephone number Email	Contractor (or individual within business)	Legitimate interest – initial contact  Contract	To engage for services to maintain the property	<ul style="list-style-type: none"> <li>• Tenant – shared with</li> <li>• Client – shared with / provided by</li> <li>• Statutory bodies – shared with</li> <li>• Letting agent – shared with / provided by</li> </ul>	<ul style="list-style-type: none"> <li>• To arrange entrance to grounds</li> <li>• To arrange entrance to grounds / keep client informed</li> <li>• Legal obligation</li> <li>• To facilitate the</li> </ul>	Duration of the management of the property plus 6 years

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			Legal obligation with Statutory Bodies		<ul style="list-style-type: none"> <li>• Credit Reference Agencies – shared with / provided by</li> <li>• Microsoft Exchange – shared with</li> </ul>	<p>ongoing contract</p> <ul style="list-style-type: none"> <li>• To carry out due diligence.</li> <li>• Used for the exchange of emails</li> </ul>	
Contract for services and property management	Name Address Telephone number Email	Tenant	Contract	To engage for services to maintain the property	<ul style="list-style-type: none"> <li>• Contractor – shared with</li> <li>• Assessors – shared with</li> <li>• Microsoft Exchange – shared with</li> </ul>	<ul style="list-style-type: none"> <li>• To arrange entrance to grounds</li> <li>• To arrange entrance to the grounds</li> <li>• Used for the exchange of emails</li> </ul>	Duration of the management of the property plus 6 years
Property management	Name Address Telephone number Email Qualifications Professional registration number	EPC Assessor Electrician Asbestos Assessor Gas Engineer Plumber (Assessors)	Legitimate Interest / Legal Obligation	To engage for legally required checks of property	<ul style="list-style-type: none"> <li>• Client – shared with</li> <li>• Tenant – shared with</li> <li>• Statutory Bodies – shared with</li> <li>• Microsoft exchange – shared with</li> </ul>	<ul style="list-style-type: none"> <li>• To facilitate entering property</li> <li>• To keep informed</li> <li>• Legal obligation</li> <li>• Used for exchange of emails</li> </ul>	Duration of the management of the property plus 6 years
Use of consultant or professional contact	Name Address Telephone number Email Qualifications Professional registration number Insurance details	Consultant Other professional	Legitimate interest Contract Legal Obligation	To be engaged for professional consultancy or work in their professional capacity	<ul style="list-style-type: none"> <li>• Client – shared with</li> <li>• Other professionals – shared with / provided by</li> <li>• Contractors – shared with / provided by</li> <li>• Statutory Bodies – shared with</li> <li>• Microsoft exchange – shared with</li> </ul>	<ul style="list-style-type: none"> <li>• To keep informed</li> <li>• To facilitate the running of the business</li> <li>• To facilitate the maintenance of the property</li> <li>• Legal obligation</li> <li>• Used for exchange of emails</li> </ul>	Duration of the management of the property plus 6 years

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