

# **Privacy Notice (Prospective Tenant or Buyer)**

The **Data Controller** connected with this **Privacy Notice** is Barton Wyatt Ltd.

## 1. Purpose

In this instance your data is being processed for the specific purpose of providing you with information about properties you may wish to consider renting or buying and / or arranging a viewing of a property.

## 2. Lawful Basis

The collection of your data for this purpose is under the **Lawful Basis** of Legitimate Interests. We have conducted a Legitimate Interests Assessment and concluded that without processing this information it would not be possible to meet the Data Subject's expectations of our services, because we would be unable to communicate with them. We have balanced this requirement with any risks to the Data Subjects rights and freedoms and concluded any risk is low and outweighed by the benefit to the Data Subject.

## 3. Information Collected

The personal data we will collect and process about you in connection with this purpose is:

- 3.1. Name
- 3.2. Address
- 3.3. Telephone number(s)
- 3.4. Email Address

In addition, we may collect other non-personal data regarding your property preferences.

## 4. Website Data Collection

Our website uses both Cookies and analytical tools to help improve your visit to the site. However, in both instances no personally identifiable data is collected

## 5. Retention

Under the **Lawful Basis** referenced in paragraph 2, and on the advice of our insurers, your data will be retained for a period of 15 years in order that we may administer or defend any legal claim you might bring against the Company. This retention period will commence from the date of any final communication you have with us.

## 6. Destruction

At the end of this retention period your data will be destroyed using an approved method unless prevented by Court order.

## 7. Data Sharing

Whilst we control your personal data we will need to share this data with the following parties, for the following purposes, in order to provide you with the services you are seeking from us:

- 7.1. Eurolink Technology Ltd, Clarks Computer Systems Ltd, Jaijo Ltd and In Touch Display Ltd for the sole purpose of maintaining a consumer database so we can provide you with our service.
- 7.2. Onecom Ltd and Amazon Web Services Inc for the sole purpose of storing our Company's electronic data (consumer database and associated records).

- 7.3. The Property Ombudsman for the sole purpose of administering any investigation by them.
- 7.4. The Brunel Group, the Company's insurance brokers, for the sole purpose of defending any claim brought against the Company.
- 7.5. The Company's legal advisers, (who are not retained, but whose details will be provided to you in the event that you commence proceedings against the Company,) for the sole purpose of defending any claim.

## 8. Rights of the Data Subject

- 8.1. Under the General Data Protection Regulation, you, the Data Subject have certain rights regarding the control and processing of your personal data. Details regarding your rights can be found on the Information Commissioner's Office (ICO) [website](#).
- 8.2. Should you wish to contact Barton Wyatt in order to exercise any of these rights, please email the **Data Controller's** representative using the following email address: [data.protection@bartonwyatt.co.uk](mailto:data.protection@bartonwyatt.co.uk). Alternatively, please call 01344 843000 and ask to speak with James Wyatt.

## 9. Security

- 9.1. Recognising the importance of personal data to our consumers, we endeavour to put in place appropriate organisational and technical measures to protect that data.
- 9.2. Personal data we hold on electronic media is stored on secure servers located in the EEA.
- 9.3. Where data is held on paper, access is controlled, and files are secured in secure cabinets in a secured office.
- 9.4. **Data Subjects** should be aware that not all electronic communications are secure. We use Transport Layer Security (TLS) to encrypt and protect email traffic in line with government advice. However, if your email service does not support TLS, you should be aware that any emails we send or receive may not be protected in transit.
- 9.5. We will also monitor any emails sent to us, including file attachments, for viruses or malicious software. Please be aware that you have a responsibility to ensure that any email you send is within the bounds of the law.

## 10. Additional Services

As a consumer of our services we may occasionally contact you to make you aware of other similar services we offer, which we feel could be of assistance to you. Such communications will be sent to you under the Privacy and Electronic Communications Regulations and you will be given the option to opt out of similar communications on each occasion.

## 11. Data Protection Concerns

Should you have any concerns regarding the way an organisation is processing your personal data, the ICO recommends that in the first instance you contact the organisation concerned. If the organisation does not address those concerns in an appropriate manner, you then have the option to escalate the issue to the ICO. If you wish to contact us because you have concerns about our use of your personal data, please contact us using the details provided in paragraph 8.2.

## 12. Updates

This Privacy Notice is kept under review and it is amended as appropriate. It was last updated on 2<sup>nd</sup> June 2018.