

GENERAL DATA PROTECTION REGULATION GENERAL STATEMENT & POLICY

This general statement and policy explains what personal data (information) we hold about you, how we collect it, how we use and may share information about you during our involvement with your property and after it ends. We are required to notify you of this information under the General Data Protection Regulation.

Please ensure you read this notice and any other similar notice we may provide to you from time to time when we collect or process personal information about you. This privacy notice contains important information on who we are, how and why we collect, store, use and share personal information, your rights in relation to your personal information and on how to contact us and supervisory authorities in the event you have a complaint.

1. WHO WE ARE

The Data Controller is Emmerson Barnett Limited who collects, uses and is responsible for certain personal information about you. When we do so we are regulated under the [General Data Protection Regulation](#) which applies across the European Union (including in the United Kingdom) and we are responsible as ‘controller’ of that personal information for the purposes of those laws.

In this privacy notice, references to “we” or “us” means Emmerson Barnett Limited

2. DATA PROTECTION PRINCIPLES

We will comply with the data protection principles when gathering and using personal information, as set out in our GDPR data protection policy.

3. THE PERSONAL INFORMATION WE COLLECT AND USE: INFORMATION COLLECTED BY US

In the course of our duties we collect the following personal information when it is provided to us:

- Your name, contact details e.g. property address, home address, email address, mobile and landline telephone numbers.

The provision of your name, property address, home address, email address, mobile and landline telephone numbers is required from you to enable us to perform our duty as building surveyors/ principal designers appointed for and on behalf of our Clients. We will inform you at the point of collecting information from you, whether you are required to provide the information to us.

We also obtain personal information from other sources such as the Land Registry.

4. HOW WE USE YOUR PERSONAL INFORMATION

We will typically collect and use this information for the following purposes:

- For the performance of an instruction we have with our Clients and pursuant to which we are appointed.
- We seek to ensure that our information collection and processing is always proportionate. We will notify you of any material changes to information we collect or to the purposes for which we collect and process it.

5. WHO WE SHARE YOUR PERSONAL INFORMATION WITH

We routinely share the following categories of personal data:

- Name, address, telephone numbers & email address

This personal information may be shared with the following categories of recipients:

- Our Clients [restricted to where they are legally entitled to be in possession of personal information], contractors, surveyors, solicitors, professional or trade bodies, utility companies [with a legitimate claim for information], insurance companies for property related issues.

This data sharing enables us to perform our duties as instructed by our Client.

We will share personal information with law enforcement or other authorities if required by applicable law.

We will not share your personal information with any other third party.

6. WHERE YOUR PERSONAL INFORMATION MAY BE HELD

Information may be held at our offices and third party agencies, service providers, representatives and agents as described above.

We maintain paper files (secured for confidentiality) as well as electronically. Access to electronic data is password protected with no external connection. Additional personal data [name, telephone number email address] may be held on a smart phone and mobile computer – access to these devices is password protected.

We have security measures in place to seek to ensure that there is appropriate security for information we hold including those measures detailed in our GDPR data protection policy.

7. HOW LONG YOUR PERSONAL INFORMATION WILL BE KEPT

- We will hold your name, contact details e.g. property address, home address, email address, mobile and landline telephone numbers for the duration of our instruction and for 6 years thereafter.

8. REASONS WE CAN COLLECT AND USE YOUR PERSONAL INFORMATION

We rely on 'Contract' as the lawful basis on which we collect and use your personal data.

9. TRANSFER OF YOUR INFORMATION OUT OF THE EEA

We transfer personal data outside the EEA by the use of Dropbox, a Company based in the United States of America which is governed by the EU-US Privacy Shield Framework and is permitted under Article 46[5] of GDPR.

10. YOUR RIGHTS

Under the [General Data Protection Regulation](#) you have a number of important rights free of charge. In summary, those include rights to:

- fair processing of information and transparency over how we use your personal information
- access to your personal information and to certain other supplementary information that this Privacy Notice is already designed to address
- require us to correct any mistakes in your information which we hold
- require the erasure of personal information concerning you in certain situations
- receive the personal information concerning you which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit those data to a third party in certain situations
- object at any time to processing of personal information concerning you for direct marketing
- object to decisions being taken by automated means which produce legal effects concerning you or similarly significantly affect you
- object in certain other situations to our continued processing of your personal information
- otherwise restrict our processing of your personal information in certain circumstances
- claim compensation for damages caused by our breach of any data protection laws

For further information on each of those rights, including the circumstances in which they apply, see the [Guidance from the UK Information Commissioner's Office \(ICO\) on individuals rights under the General Data Protection Regulation](#).

If you would like to exercise any of those rights, please:

- email, call or write to us
- let us have enough information to identify you e.g. your full name and address and property address.
- let us have proof of your identity and address (a copy of your driving licence or passport and a recent utility or credit card bill), and
- let us know the information to which your request relates, including any account or reference numbers, if you have them

11. KEEPING YOUR PERSONAL INFORMATION SECURE

We have appropriate security measures in place to prevent personal information from being accidentally lost, or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

12. HOW TO COMPLAIN

We hope that we can resolve any query or concern you raise about our use of your information.

To exercise all relevant rights queries or complaints in the first instance please contact Roy Emmerson [Director of Emmerson Barnett Limited].

Tel: 01371 831837

Email: roy.emmerson@emmersonbarnett.co.uk

Mail: Stanbrook Mead, Stanbrook, Thaxted, Essex CM6 2NQ

The [General Data Protection Regulation](#) also gives you right to lodge a complaint with a supervisory authority, in particular in the European Union (or European Economic Area) state where you work, normally live or where any alleged infringement of data protection laws occurred. The supervisory authority in the UK is the Information Commissioner who may be contacted at <https://ico.org.uk/concerns/> or telephone:0303 123 113

Changes to this privacy notice

This privacy notice was published in May 2018.

We may change this privacy notice from time to time, and when we do we will inform you.

Signed for and on behalf of Emmerson Barnett Limited

RA Emmerson
Roy Emmerson, Director