

# LetEmma

*With John S. Brown & Son Ltd.*

**Quality Property Rentals & Management**

Tel: +44 (0) 7887 442 157

Email: [ep@letemma.com](mailto:ep@letemma.com)

Web: [www.letemma.com](http://www.letemma.com)

## PRIVACY POLICY

LetEmma with John S. Brown & Son Ltd. is committed to ensuring that your privacy is protected and our use of your personal information is governed by this Privacy Notice.

### Introduction

Our use of your personal data will be governed by this Privacy Notice.

LetEmma with John S. Brown & Son Ltd. is a controller for the personal information that it collects and uses about you. We will treat your personal information as confidential and in accordance with applicable data protection legislation and your personal information will only be shared with others in accordance with this Privacy Notice.

This Privacy Notice explains;

1. What personal information is
2. What personal information we collect
3. How we collect your personal information
4. How we use your personal information
5. Why we collection personal information
6. How we keep your personal information secure
7. How long we keep your personal information for
8. Your rights in relation to your personal information
9. How to make complaints and how to contact us

If there are any changes to the way in which your personal information is used, this Privacy Notice will be updated.

### 1. What is personal information

Personal information is any information that tells us something about you. This could include information such as name, contact details, date of birth, bank account details or any information about your needs or circumstances which would allow us to identify you.

Please note, we do not collect or process sensitive personal information, such as religion, ethnicity, sexual orientation or medical records.

Any references to personal information in this privacy notice will include personal data.

### 2. What personal information do we collect?

We will collect your full name and contact details (such as phone number, email address and postal address) from you whenever you engage with us.



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In addition, if we are providing a service to you, or on your behalf, where we are required to do so by law, we will collect information relating to your identity, which will be at least one form of photographic identification (such as a passport, a driving licence or an identification card) and one form of documentation with proof of your place of residence (such as a recent utility bill).

Depending on the service that we provide to you (or on your behalf) we may also collect additional personal information as detailed below;

For Landlord Clients:-

- We will collect your address, a contact telephone number and email address to get in touch with you about organising viewings and updating you on any offers received or rental applications for your property
- Where you are not the legal owner of the property we will request details from you as to your ability to let the property such as a Power of Attorney, Guardianship Order or Grant of Probate
- We will collect your bank account details to arrange onward payment of rent due to you

For Tenants and Prospective Tenants - if you wish to rent a property we are listing:

- Specific access requirements so that we can find a property that is suitable for your needs
- Information about your employment status including details of your job, employer (including postal address, telephone number and email address), length of term in your employment and your income / payslips / details for your accountant / tax return information / company accounts information / pension statements and information / bank account statements detailing savings
- Your previous name (if relevant)
- Your national insurance number
- Your gender
- Your nationality
- Your date of birth
- Your residential status
- Your bank / building / similar account details for the purposes of referencing and to allow us to return your tenancy deposit to you
- Details of any personal debts / bankruptcies / IVA's and CCJ's
- Details of any criminal convictions / offences
- Your post tenancy address at which you can be contacted after the tenancy ends for the purposes of protecting your deposit
- If you are a tenant renting under the 'Right to Rent' scheme we will collect details of your Biometric residence card, your immigration status document and/or your birth certificate to carry out our required checks under this scheme
- We may also require documents such as marriage certificates, marital status, details of any dependents who will be occupying a property including names and dates of birth and gender
- We may also require your previous address(es) and details of your current Landlord / Letting Agent if you are currently renting a property
- We may require a utility bill dated within the last 6 months including - Electricity bill (with MPAN number), Landline, Gas, Satellite TV, Water. (Internet printed acceptable.) (Not mobile phone bills.)



### 3. How we collect personal information

In the general conduct of business, LetEmma with John S. Brown & Son Ltd. collects information relevant to the services being sought across the range of services it offers from:

- yourself
- next of kin
- spouse / partner / family member
- business associates
- Employers
- "trusted" sources including:
  - Government / Land / Police registers
  - Credit / Default Agencies
  - Financial Institutes (Banks, Building Societies, Loan Agencies, Credit Card companies)
- through consent to third parties disclosing information about you to us that they have collected

Such information will generally be collected directly via the use of any of our standard forms, over the internet, via email or through a telephone conversation with you. We may also collect personal information through our affiliates or suppliers.

In addition, you may choose to submit information directly to us via several methods, including:

- in response to marketing or other communications
- through social media
- by signing up for a LetEmma with John S. Brown & Son Ltd. product or service
- through participation in an offer, program or promotion
- in connection with an actual or potential business or employment relationship with us

You may also agree to third parties disclosing information about you to us that those third parties have collected.

Section 8 of this Privacy Notice specifies your ability, to opt out or limit the usage of the information collected.

### 4. How we use your personal information

What is the legal basis of our data processing?

Under data protection legislation we are only permitted to use your personal information if we have a legal basis for doing so. We rely on the following legal bases to use your information;

- Performance of a contract - where we need information to perform the contract we have entered into with you
- Where we need to comply with a legal obligation

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- Where the processing is necessary for us to carry out activities for which it is in LetEmma with John S. Brown & Son Ltd. 's legitimate interests (or those of a third party) to do so and provided that your interests and fundamental rights do not override those interests
- Processing that is necessary to improve our knowledge of the real estate sector – this will include undertaking market analysis and research so that we better understand trends in the property sector and provide better knowledge along with more tailored and relevant services for our customers in the future
- Processing is necessary for us to operate the administrative and technical aspects of our business efficiently and effectively – this will include: verifying the accuracy of information that we hold about you and creating a better understanding of you as a customer; processing for administrative efficiency purposes such as where we outsource certain administrative functions to third parties who are specialists in such services; processing for network and information security purposes i.e. in order for us to take steps to protect your information against loss, damage, theft or unauthorised access; or to comply with a request from you in connection with the exercise of any of your rights outlined below
- Processing is necessary for the managing of opting out of communications , profiling , direct marketing, monitoring, web analytics, cloud storage, acquisitions, updating customer details, lettings, and other core products and service provided by the data controller.

We may also process special categories of personal information and criminal conviction information if required.

Where we process information under consent we will seek your clear and unambiguous consent prior to processing your data.

For specific information on how your personal information will be used for the services you have requested from us, please review the options below:

- We use your personal information for the purposes of fulfilling our obligations to you to let your property or, if you are a tenant, for the purposes of arranging a contract for a lease for you.
- If you are renting a property we are acting as letting agents of, we will share your personal data with third party referencing agencies for the purposes of the prevention and detection of crime, fraud and/or money laundering and checking your suitability to rent that property.

### Property Management

Where we are managing property on your behalf we may need to pass your personal information from time to time on to third party contractors whom we have engaged to carry out maintenance on your properties.

### Other uses of your personal information

- If we sell any part of our business and/or integrate it with another organisation your details may be disclosed to our advisers and to prospective purchasers or joint venture partners and their advisers. If this occurs the new owners of the business will only be permitted to use your information in the same or similar way as set out in this privacy notice.



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- We will share personal information with our regulators, governmental or quasi-governmental organisations, law enforcement authorities and with courts, tribunals and arbitrators as may be required from time to time in order to comply with our regulatory and legal obligations;
- Where we use third party service providers who process personal information on our behalf in order to provide services to us - this includes IT systems providers and IT contractors as well as third party tenant referencing or screening agencies for the purposes of the prevention and detection of crime.
- We may share your personal information with any person working within LetEmma with John S. Brown & Son Ltd. on a need to know basis to ensure we are able to perform our obligations to you, e.g. formally contracted service providers, hosting datacentres, infrastructure, applications (development / support), cloud services. We contractually require these service providers to safeguard the privacy and security of personal information they process on our behalf and authorise them to use or disclose the information only as necessary to perform services on our behalf or comply with legal requirements.
- We will share the information we collect with Landlords and Landlord associates and sub processors
- We may share information with Prospective employers / Landlords / Letting Agents requesting references via your written consent

In more limited circumstances we may also rely on the following legal bases:

- Where we need to protect your interests (or someone else's interests); and/or
- Where it is needed in the public interest or for official purposes

We do not sell or otherwise disclose personal information we collect about you, except as described in this Privacy Notice or as indicated via the consent process at the time the data is collected.

### **What happens if you do not provide information that we request?**

We need some of your personal information to perform the services you have requested from us. For example:

- where we are letting a property on your behalf we need to know your contact information so that we can update you with information on viewings, offers and the progress of the rental;
- where you have asked us to find you a property which meets certain access requirements, we may need to know some further details about your particular circumstances so that we can find you a suitable property.

We also need some information so that we can comply with our legal obligations. For example, we may need identity documents from you to meet our obligations to meet the right to rent legislation, preventing fraud and money laundering.

If you do not provide the information required for these purposes, we will not be able to perform our contract with you and may not be able to provide services to you or continue to provide certain services to you. We will explain when this is the case at the point where we collect information from you.



### 5. Why do we collect your personal information

Generally, we will collect, use and hold your information for the purposes of:

- Assessing applications for and providing LetEmma with John S. Brown & Son Ltd. products / services
- Conducting business, developing relationships with LetEmma with John S. Brown & Son Ltd. and affiliates
- Processing payments / transactions including: Accounting, Authorisation, Clearing, Chargebacks, Auditing, Billing, Reconciliation, Collection, Complaints, Enquiries, Credit Checks and related dispute resolution activities
- Protecting against and preventing fraud, unauthorised transactions, money laundering, tax evasion, claims, other liabilities and managing risk exposure and agent /franchise quality, integrity, compliance and security of business processes
- Creating and managing any accounts, associated authentication criteria (id's and passwords) you may have with LetEmma with John S. Brown & Son Ltd.
- Providing, administering and communicating with you about LetEmma with John S. Brown & Son Ltd. products, services, offers, programs and promotions, their issuers, acquirers, retailers and partners.
- Compiling business directories, including business contact information
- Operating, monitoring, evaluating and improving our products, services, websites, mobile applications, other digital assets and business.
- Developing new products and services
- Managing communications, assessing effectiveness and optimisation of advertising
- Functionality of our website, mobile applications and /or other digital assets
- Evaluating your interest in employment and contacting you regarding possible employment opportunities
- Enforcing our "Terms of Use", other legal rights as may be required by applicable laws and regulations or requested by any judicial process or governmental agency having or claiming jurisdiction over LetEmma with John S. Brown & Son Ltd. or its affiliates.
- Complying with industry standards and LetEmma with John S. Brown & Son Ltd. policies.

### 6. How we keep your information secure

The security of information is very important to us. We maintain administrative, technical and physical safeguards designed to protect the personal information you provide or we collect against accidental, unlawful or unauthorised destruction, loss, alteration, access, disclosure or use and we have measures in place which are designed to prevent unauthorised access to your personal information including but not limited to:

- Our client files are stored on our secure client management systems. Access is restricted on our client systems to those within the business who are required to have access to your information for legitimate business purposes.
- Hard copy documentation is stored in locked cabinets.

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All data is hosted in datacentres which have systems and protections in place to protect against both unauthorised access, and other external factors that could cause damage to, your personal data. There are strict access requirements in place and access is restricted to those absolutely necessary.

We ensure access to personal information is restricted to LetEmma with John S. Brown & Son Ltd. employees and workers on a need to know basis. Training is provided to any of those employees and workers who need access to personal information.

## **7. For how long do we keep your personal information**

LetEmma with John S. Brown & Son Ltd. stores personal information only for as long as it is necessary for the fulfilment of the purpose for which the personal information was collected, unless otherwise required or authorised by applicable law. We take measures to destroy or permanently de-identify personal information if required by law or if the personal information is no longer required for the purpose for which we collected it.

The period for which we will keep your personal information will depend on the type of service you have requested from us. The retention period may be longer than the period for which we are providing services to you where we have statutory or regulatory obligations to retain personal information for a longer period, or where we may need to retain the information in case of a legal claim.

We generally keep personal information for 7 years after last contact with you.

However LetEmma with John S. Brown & Son Ltd. reserves the right to keep information for longer if we feel that this is in the legitimate interests of LetEmma with John S. Brown & Son Ltd. .

## **8. Your rights in relation to your personal information**

Your rights regarding the sensitive / personal information we maintain about you enable you to exercise choices about what personal information we collect from you, how we use that information, and how we communicate with you.

You have a number of rights in relation to your personal information, these include the right to:

- Be informed about how we use your personal information
- Obtain access to your personal information that we hold
- Request that your personal information is corrected if you believe it is incorrect, incomplete or inaccurate - If we refuse to correct your personal information, we will provide you with a written notice that sets out the reasons for our refusal (unless it would be unreasonable to provide those reasons) and provide you with a statement regarding the mechanisms available to you to make a complaint.
- Request that we erase your personal information in the following circumstances:
  - If LetEmma with John S. Brown & Son Ltd. is continuing to process personal information beyond the period when it is necessary to do so for the purpose for which it was originally collected





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- If LetEmma with John S. Brown & Son Ltd. is relying on consent as the legal basis for processing and you withdraw consent
- If LetEmma with John S. Brown & Son Ltd. is relying on legitimate interests as the legal basis for processing and you object to this processing and there is no overriding compelling ground which enables us continue with the processing
- If the personal information has been processed unlawfully (i.e. in breach of the requirements of the data protection legislation)
- If it is necessary to delete the personal information to comply with a legal obligation
- Ask us to restrict our data processing where we no longer need the personal information but you require us to keep it to enable you to establish, exercise or defend a legal claim or where you have raised an objection to our use of your personal information
- Request a copy of certain personal information that you have provided to us in a commonly used electronic format. This right relates to personal information that you have provided to us that we need in order to perform our agreement with you and personal information where we are relying on consent to process your personal information
- Object to our processing of your personal information where we are relying on legitimate interests or exercise of a public interest task to make the processing lawful. If you raise an objection we will carry out an assessment to determine whether we have an overriding legitimate ground which entitles us to continue to process your personal information.
- Not be subject to wholly automated decisions which produce legal effects or which could have a similarly significant effect on you.

The right to access personal information may be limited in some circumstances by local law requirements.

If you would like to object to any processing of your information by LetEmma with John S. Brown & Son Ltd. you can contact us outlining what processing of information you would like to object to.

If you would like LetEmma with John S. Brown & Son Ltd. to delete, block or anonymise information we hold about you, you can contact us outlining what information you would like deleted, blocked or anonymised.

To update your preferences, opt out of the collection of your information, or to ask us to remove your information or submit a request to access, update, correct or delete your personal information, please contact us at [ep@letemma.com](mailto:ep@letemma.com).

If we obtain your information by consent you have the right to withdraw any consent you previously provided to us.

If we process your information under legitimate interest you can object at any time on legitimate grounds, to the processing of your personal information.

LetEmma with John S. Brown & Son Ltd. will apply your preferences going forward. Doing so will mean that you cannot take advantage of certain LetEmma with John S. Brown & Son Ltd. and affiliate products, services and promotions.





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NB: the right to consent removal may be limited in some circumstances by local law requirements and you will be informed appropriately.

## **9. Complaints and Contact Details**

### Complaints

If you have any complaints about the way we use your personal information please contact us at [ep@letemma.com](mailto:ep@letemma.com) and we will try to resolve the issue. If we cannot resolve any issue, or if we fall short of your expectations in resolving the complaint you have the right to complain to the data protection authority in your country (the Information Commissioner in the UK). To assist us in responding to your request, please give full details of the issue. We will attempt to review and respond to all complaints within a reasonable time. If we cannot for lawful reasons complete your request we will explain this to you to the extent that we lawfully can.

If you need more information about how to contact your local data protection authority please let us know by contacting [ep@letemma.com](mailto:ep@letemma.com).

### Contact details

If you have any questions, comments or requests regarding any aspect of this Privacy Policy, please do not hesitate to contact us by sending an email to [ep@letemma.com](mailto:ep@letemma.com).

### **Updating this privacy statement**

We will update this statement from time to time so we suggest that you review this statement at regular intervals. Where we undergo substantial changes to our privacy statement we will endeavour to inform you directly about these changes.

May 2018

