

## **Privacy Notice – EWS Ltd**

### **1. Introduction**

EWS Ltd is committed to ensuring that your privacy is protected. Our use of your personal information is governed by this Privacy Notice. We are a 'controller' under the General Data Protection Regulation (GDPR) and other relevant UK and EU legislation for the personal information we collect and use. 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;

- What personal information is
- How we collect your personal information
- The types of personal information we collect
- How we use your personal information
- The legal basis for processing your personal information
- How we share your personal information
- How long we keep your personal information
- How we keep your personal information secure
- Your rights in relation to your personal information
- How to make complaints and how to contact us

### **2. 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.

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

#### **Buy, Sell, Let, Rent**

If you are selling or letting a property through us;

- We will collect a contact telephone number 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 sell or 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

If you wish to rent a property we are listing;

- Your bank / building / similar account details to allow us to manage an approved tenancy deposit account for you and to set up your rental payments.
- If you wish to purchase a property we are listing for sale where you have specifically provided

us with these, we will collect personal information relating to any specific access requirements you may have in relation to a property so that we can find a property that is suitable for your

needs. We will also collect personal information required to source a property for you and, where required, negotiate the purchase of a property on your behalf.

## **Property Management**

If we are the managing agent for your premises;

- Names are obtained from one of the following sources: management agreement, directly supplied via email, lease or transfer documents, previous managing agents, AP01 form (for new company director appointments), via letting agents, contractor review form or share certificates.
- Correspondence address is obtained from one of the following sources: directly supplied via email, lease or transfer documents, information received from solicitors or developer upon completion, previous managing agents, AP01 form (for new company director appointments), via letting agents or contractor review form.
- Service address is obtained from one of the following sources: directly supplied or previous managing agents.
- Telephone number is obtained from one of the following sources: directly supplied via email/phone, information received from solicitors or developer upon completion, previous managing agents, AP01 form (for new company director appointments), concierge forms or via letting agents.
- Email address is obtained from one of the following sources: directly supplied, information received from solicitors or developer upon completion, previous managing agents, sales agent moving in form, AP01 form (for new company director appointments), concierge forms or via letting agents.
- CCTV images are obtained from the following source: CCTV cameras on the estates where there is surveillance present.
- Date of birth is obtained from one of the following sources: AP01 form (for new company director appointments).

## **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;

- Where we need information to perform the contract we have entered into
- Where we need to comply with a legal obligation
- For employment-related purposes
- Where the processing is necessary for us to carry out activities for which it is in EWS' legitimate interests (or those of a third party) to do so and provided that your interests and fundamental rights do not override those interests.

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
- With your explicit consent, in which case we will explain the purpose for which the information will be used at the point where we ask for your consent.

For specific information on how your personal information will be used for the services you have requested from us, please select from any of the options below;

## **Buy, Sell, Let, Rent**

- We use your personal information for the purposes of fulfilling our obligations to you to let or sell your property or, if you are a buyer or tenant, for the purposes of arranging a contract for sale or a lease for you.
- If you are purchasing a property we are acting as agents for the sale of or selling a property through us we will share your personal information with your appointed solicitors and the solicitors acting for the other side of the deal as is necessary to facilitate the sale or purchase.
- 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. Specifically, to perform our contractual duties as managing agent, we may share the above categories of personal data with the following categories of recipients:
  - External accountants
  - Insurance brokers / providers
  - Solicitors
  - Debt recovery companies
  - Contractors
  - Freeholders/landlords
  - Management Company Directors
  - Companies House
  - Regulatory bodies for audit purposes
  - Managing Agents for management handovers
  - Ombudsman
  - Bank
  - ICO for subject access requests and breaches
  - Emergency services upon request from the police

Disclosure of recorded CCTV material will only be made to third parties in strict accordance with the purposes of the system and is limited to the following;

- Security companies who have been appointed to provide surveillance and security services, in accordance with the purposes of the system;
- Prosecution agencies;
- People whose images have been recorded and retained (unless disclosure to the individual would prejudice criminal enquires);
- Freehold representative and RMC Directors in accordance with the purposes of the system;
- Emergency services at the request of the police.

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

## **5. How we keep your information secure**

The security of information is very important to us and we have measures in place which are designed to prevent unauthorised access to your personal information

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

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.

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

- You have several 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
- Request that we erase your personal information in the following circumstances:
  - If EWS 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
  - If EWS is relying on consent as the legal basis for processing and you withdraw consent
  - If EWS 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 to 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 activities where you consider that:
  - personal information is inaccurate
  - our processing of your personal information is unlawful
  - 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
  - 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; and
- Not be subject to wholly automated decisions which produce legal effects or which could have a similarly significant effect on you.

## **8. Complaints and Contact Details**

If you have any complaints about the way we use your personal information please write to us at 8 Kings Court, Newcomen Way, Colchester, CO4 9RA.