

# Burnett's Privacy Notice & Data Protection Policy for GDPR

This document provides information on how Burnett's Estate Agents and any of its offices, representatives, associated third parties and employees collect, use, secure, transfer and share your information.

'Burnett's Mayfield LLP' and 'Burnett's Wadhurst Limited' are two companies founded, owned and managed by Andrew Burnett, trading as 'Burnett's Estate Agents' and referred to as 'Burnett's'. It employs seven people across two offices and has an associated lettings department via 'The Letting Company' and their offices in Tunbridge Wells.

The phrases "Burnett's", "us" or "we" shall, when used herein, mean those members of the Burnett's Group on behalf of and in respect of whom this statement is made.

By using Burnett's websites and mobile applications or otherwise providing your personal information to Burnett's, you agree to the collection, use and sharing of your information in accordance with this statement. Please read this Privacy Statement carefully and contact us if you have any questions.

Personal information is information, or any combination of separate pieces of information, that could be used to identify you.

Should you have any queries in respect of this statement or our use of personal data, please contact Burnett's Data Protection Officer as listed below.

Via our normal service, providing market appraisals, registering applicants, conducting viewings, negotiating sales and lettings and general property marketing, all information is kept in house. However, we will be happy to provide referrals to any specialists that are requested of us, including mortgage brokers, specialist brokers, builders, developers, house search agents, local authorities, architects, utility providers, tradespersons and in some cases the general public.

## 1. Information that we typically collect:

In the general conduct of business, we collect information only relevant to our needs to serve you, as a Vendor, Landlord, Purchaser or Tenant.

First Name	Middle Name(s)	Surname	Previous names/ Aliases	Date of Birth
Present Address	Previous Address(es)	Residential Status	Marital Status	Gender
Nationality	Place of Birth	Proof of ID (photo ID)*	Proof of Address*	Proof of funds*
Email addresses	Phone numbers	Solicitors details	Mortgage details	Financial Advisor details
Landlord/Previous Landlord	Any Dependants	Dependants Name(s)	Dependants Date of Birth	Employment details
Salary	Accountant details	Bank details	Credit Card details	Criminal Offences/ Convictions
Estate Agent details	Doctors details	Health	Ethnicity	Insurance details
Debts and/or Loans	NI number	Land Registry Details	Cookies	IP Address(es)

\* Copies

## **2. Methods of collection:**

We collect information directly from you when you choose to participate in our offers and programs, create an account on our websites or in our mobile applications, call or email us, or otherwise provide information directly to us. We may collect directly from you:

- Yourself
- Next of Kin
- Spouse / Partner / Family Member
- Business Associates
- Employers
- Estate Agents
- Landlords

*Trusted sources, including:*

- Government / Land / Police Registers
- Credit / Default Agencies
- Financial Institutes
- Insurance Companies
- Law firms
- Financial Advisers

Such information will generally be collected directly via direct communication either in our offices or within your home, over the telephone, over the internet or via email. We use standard forms where possible.

Information may also be received via our Associated Offices, such as The Letting Company, Feefo and the Guild of Property Professionals, and indeed our software provider, Expert Agent (registered as Websky Limited).

Other Estate Agents (and Solicitors) will sometimes provide us with information specifically relating to a chain in which we are involved.

## **3. Information we collect when you visit our sites, view our online ads or promotions, or use our mobile applications or other services**

We and our service providers collect certain information via automated means, such as cookies and web beacons, when you interact with our website, advertisements, mobile applications and social media channels or other digital assets. The following are examples of information we may collect with these technologies:

- Information about your device browser and operating system.
- IP address
- Web pages you view
- Links you click
- Burnett's emails you open
- Social Media
- In response local press and/or local sponsorship)
- In connection with an actual or potential business or employment relationship with us

## **4. How Burnett's uses this information**

We use the information we collect to provide you products, offers and services, to deliver to you advertisements, offers or other content tailored to your interests, and to conduct other Burnett's business operations. The following are examples of how we may use the information we collect:

- Answer your questions or respond to your requests.
- Develop new products and services.
- Comply with industry standards and Burnett's own policies

- Enrol you in contests, programs, or offers that you request.
- Create and manage any accounts, associated authentication criteria (id's and passwords) you may have with Burnett's or Websky Limited
- Process payment for purchases or other services.
- Protect against and prevent fraud, unauthorised transactions, money laundering
- Send you email and/or postal messages with information about Burnett's brands and other content we think may be of interest to you.
- Telephone you about Burnett's brands and other content we think may be of interest to you.
- Develop and provide Marketing tailored to your interests, including interest-based marketing.
- Personalise your experience on our websites by presenting products and information tailored to you.
- Allow you to participate in social sharing on our websites.
- Analyse the use of, and develop, our products, services and marketing.
- Enforce Burnett's contractual obligations, 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 Burnett's or its associated organisations.
- Evaluate your interest in employment and contact you regarding possible employment opportunities

Burnett's will only process your information in pursuance of our **legitimate interest** if we receive any requests related to, for example, a product or service, a call-back, or specific marketing materials; we will use your personal information to fulfil your request. Where we need to manage your account and protect you against or identify possible fraudulent transactions, we will do so in accordance with our **legal obligation** placed on us under law. We will seek consent from you if we need to process your data solely identified purposes. To ensure meaningful **consent** is obtained from you, Burnett's will provide you with reasonable notice ensuring that your consent is provided on an informed basis.

## 5. Information sharing

The success of our business depends on your trust, and we do not sell your personal information to marketers outside of Burnett's. We share your personal information within Burnett's and as described in this statement. We do not share personal information with marketers outside of Burnett's.

## 6. Information we do share (with your prior consent)

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. We share the information we collect with, but not limited to:

- Vetted associates and partners, such as The Letting Company, The Guild of Property Professionals and any Mortgage Brokers or Financial Advisers (as and when requested by you, the consumer)
- Formally contracted service providers to perform services on our behalf, such as tradespersons needing to visit a property, Domestic Energy Assessors needing to provide an EPC, professionals (such as photographers, floor plan drawers, surveyors, architects, solicitors) all providing services on our behalf to our mutual benefit.

*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.*

## 7. Other situations

We may transfer or otherwise process your personal information:

- As part of the sale of a Burnett's brand to another company.
- When we have received your instruction to pass the sale of your property to another agent
- To protect, defend or exercise the rights and property of Burnett's (including enforcing our Terms and Conditions).
- When required by law and/or government authorities.
- Councils, health and care providers
- Law firms
- Credit agencies, Land Registry Office, Her Majesty's Revenue and Customs (HMRC), Financial Conduct Authority (FCA) and other relevant regulatory bodies
- Additionally, we may share information about you, if required legally, to prevent harm or financial / reputation loss, for investigation of suspected or actual fraudulent or illegal activities.
- Perspective employers requesting references via your written consent

On websites, features can be accessed where we partner with other entities that are not affiliated with Burnett's. These include social networking, geo-location tools etc. are operated by third parties (indicated appropriately) who may use or share personal information in accordance with their own privacy policies. It is recommended that you review the third parties' privacy policies if you use the relevant features.

We may use third-party web analytics services on our Sites, such as those of Google Analytics. These service providers help us analyse how visitors use the Sites. The information obtained for this purpose (including your IP address and other information collected by automated means) will be disclosed to or collected directly by these service providers. To learn more about Google Analytics, and how to opt out, please refer to Google's privacy policy.

## 8. Lawful basis of processing

Burnett's Estate Agents processes your information under the following:

- **Performance of a contract:** where you enter into a contract with Burnett's and we need to process your information as part of this contract.
- **Legitimate interests:** some information is processed by Burnett's as part of its legitimate interests which include: Fraud, risk assessment, due diligence, network, information and staff security, managing opting out of communications, direct marketing, monitoring, web analytics, cloud storage, acquisitions, updating customer details, right to rent, lettings, sales, financial services and other core products and service provided by the data controller
- **Public interest:** some information is processed in accordance public interest such as relocations
- **Consent:** where we process information under consent we will seek your clear and unambiguous consent prior to processing your data

## 9. Personal information retention period

We will retain Personal Information for the period necessary to fulfil the purposes outlined in this Privacy Statement, unless a longer retention period is required or permitted by law.

## 10. International data transfers

Burnett's may at times require the transfer of the personal information collected about you to recipients in countries other than the country in which the information was originally collected. Those countries may not have the same data protection laws as the country in which you initially provided the information. When we transfer your information to other

countries, we will protect that information as described in this Privacy Notice or as otherwise disclosed to you at the time the data is collected.

## 11. Your communication options

We give you choices about how we communicate with you.

- **Email Communications**  
You can stop receiving promotional email messages from Burnett's by following the opt-out instructions provided in any such message you receive.
- **Postal Mail**  
You can stop receiving promotional postal mail from Burnett's by following the opt-out instructions that may be included within those communications.  
You can also stop receiving promotional email or postal communication through this Privacy Statement.
- **Mobile Text Messages**  
We only send you promotional mobile text messages if you explicitly ask to receive these (you opt in). You can stop receiving promotional text messages by following the instructions to opt out provided within that text messaging program.
- **Telephone Marketing**  
We only send you promotional mobile text messages if you explicitly ask to receive these (you opt in). You can stop receiving promotional text messages by following the instructions to opt out provided within that text messaging program.

PLEASE NOTE: We will honour your request to stop receiving promotional email, text and postal messages from Burnett's as practicable. However, we may continue to send you service-related communications. We may keep information for record keeping to ensure we fulfil your request not to send particular types of messages.

## 12. Your rights and choices

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.

- **Consent**  
Where you have provided consent for our processing of your personal data, you may withdraw that consent at any time by contacting us as described below. We will cease processing your personal data as soon as reasonably practicable following our receipt of your withdrawal.
- **Access and correction**  
You may have the right to:
  - Obtain confirmation that we hold personal information about you.
  - Request access to and receive information about the personal information we maintain about you.
  - Receive copies of the personal information we maintain about you

The right to access personal information may be limited in some circumstances by local law requirements. To exercise these rights, please contact us as set forth below.

- **Update and correct inaccuracies in your personal information**  
If you feel that the information we hold about you is incorrect or inaccurate you can contact us outlining the information you feel is incorrect 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. We will provide you with access to information we hold about you.

- **Object to the processing of your personal information**

If you would like to object to any processing of your information by Burnett's you can contact us outlining what processing of information you would like to object to.

- **Have the information blocked, anonymised or deleted.**

If you would like Burnett's 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, ask us to remove your information from our mailing lists or submit a request to access, update, correct or delete your personal information, please contact us as specified in the "How To Contact Us" section below.

- **Opting out of processing**

You can opt out collection of personal information by automated means e.g. when visiting our website or visit third-party websites and interact with our adverts, by using the Cookie consent tool displayed in the website (the browser you use may provide options on how to opt out of receiving certain types of cookies). However without cookies you may not be able to use all of the website features and/or online services.

Burnett's operate a cookie policy. Some of our service providers and partners may collect information about your online activities over time and across third-party websites to customise and target our adverts.

You can at any time tell us not to send you marketing communications by unsubscribing via the "unsubscribe link" within the marketing e-mails you receive from Burnett's or contacting Burnett's as indicated below.

- **Withdrawal of consent**

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.

Burnett's will apply your preferences going forward.

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

- **Complaints**

If you consider that we have processed personal data in violation of applicable law, please contact us as described below. If you consider that we have processed personal data in violation of applicable law and failed to remedy such violation to your reasonable satisfaction, you may also lodge a complaint with a supervisory authority (e.g. the Information Commissioner in the UK).

### **13. Links to Third Party Sites and Social Media**

Burnett's sites may include links to third-party sites. Burnett's does not control these third-party sites, and we encourage you to read the privacy statement of every site you visit.

- **Social Networks and Third-Party Plug-ins**

Our websites may include plugins from social networks or other third parties. An example of a plugin is the Facebook "Like" button. Where legally permitted, these plugins may communicate with and send information to the party that provided the plugin, even if you do not click on the plugin. This information may include your IP address, information about your browser and device, and the address of the web page you are visiting on our site. Loading, using or clicking the plugins may also place, read and transmit cookies. These cookies may contain a unique identifier the social network or third party assigns to

you. The loading, functionality and your use of the plugins are governed by the privacy statement and terms of the party that provided the plugin.

- **Social Network and Third-Party Login**

Our websites may allow you to log in using a social network or other third-party account. An example of a third-party login is "Log in with Facebook." Logging into one of our sites with your social network or other third-party account may allow us to gather information that you give us permission to access from that social network or third party. The login feature may also transfer information to the social network or third party, such as your username and password, to authenticate you. The social network or third party may also automatically collect information such as your IP address, information about your browser and device, and the address of the web page you are visiting on our site. The login feature may also place and read cookies from that third party that may contain a unique identifier the social network or other third party assigns to you. The functionality of and your use of the login is governed by the privacy statement and terms of the party that provided the login functionality.

- **User Generated Content**

Please remember that any information you submit or post as user-generated content to Social Media sites become public information. You should exercise caution when deciding to disclose your personal, financial or other information in such submissions or posts. Burnett's cannot prevent others from using such information in a manner that may violate this Privacy Statement, the law, or your personal privacy and safety. Burnett's is not responsible for the results of such postings.

## **14. Anti-Money Laundering Legislation**

In addition to help you with a property related service we have to comply with certain regulations for example the "Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 (referred to as "the Regulations)." Burnett's Estate Agents and other associated companies are required to obtain certain information from you to comply with regulations. The information provided will only be used by Burnett's Estate Agents in relation to complying with the Regulations and will not be shared with any other party outside of the companies wholly owned by Andrew Burnett unless we are required to do so under law.

If you decide to enter in to a business relationship with Burnett's Estate Agents or any associated company, you will need to comply with certain regulations.

We will require two separate Identification documents one primary and one secondary document even if it appears on both lists. The information may be required at various stages of the process depending whether you are Selling or Purchasing, Letting or Renting:

Primary documents - proof of ID

- Valid Passport with MRZ
- Valid full UK photo driving licence
- Valid EU/EEA/Switzerland photo driving licence.
- Valid EU/EEA/Switzerland national Identity Card.
- Valid UK Armed Forces ID Card.
- Valid Blue disabled drivers pass. (With photo)
- Valid Local Authority Bus pass.

Secondary documents - proof of residence (home.)

- Valid full UK photo driving licence.
- Valid full UK Driving licence (Non photo, paper) issued before 1998
- Local authority council tax bill (dated within the last 12 months).
- UK Bank / Building societies statements/bills showing activity, dated within the last six months. Including account number and sort code. (Internet printed acceptable.)
- Copy of your property Title Deeds (Landlord and Vendor only)

- 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.)
- Department for Works & Pensions letter confirming pension details and NI Number. (Dated within the last 12 months).

We reserve the right to employ third party electronic verification for the purpose of verifying identity. This search will not affect your credit rating.

## **15. Information Security**

The security of your personal information is very important and Burnett's is committed to protecting the information we collect. 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.

We limit access to personal information to those who have a business need and we use encrypted systems and storage systems.

Burnett's 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.

## **16. Children's privacy**

Our Sites are not directed to children and we do not knowingly collect personal information from children under the age of thirteen on our Sites.

## **17. Links to other websites and apps**

Our Sites may provide links to other websites and apps for your convenience and information. These websites and apps may operate independently from us. Linked sites and apps may have their own privacy notices or policies, which we strongly suggest you review.

To the extent any linked websites or apps are not owned or controlled by us, we are not responsible for their content, any use of the websites or apps, or the privacy practices of the websites or apps.

## **18. 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.

Updated April 2018

## **19. Complaints and Feedback with regards to this policy and general data processing and usage**

If you wish to comment on or complain about a breach of your personal information, applicable privacy laws / principles or a concern about Burnett's privacy practices, or would like access and/or update information or preferences you provided to us, please contact us via:

Email: [andrew@burnetts-ea.com](mailto:andrew@burnetts-ea.com) with the subject title '**Privacy Policy**'.



Or write to us at: Burnett's Estate Agents Privacy Policy  
3 Church View House,  
High Street,  
Mayfield.  
TN20 6AB

If we fall short of your expectations in processing your personal information or you wish to make a complaint about our privacy practices, please contact us.

To assist us in responding to your request, please give full details of the issue. We 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.