

JBM ESTATE AGENTS LIMITED

PRIVACY POLICY

1. BACKGROUND

JBM Estate Agents Limited understands that your privacy is important to you and that you care about how your personal data is used. We respect and value the privacy of all of our customers and clients and will only collect and use personal data in ways that are described here, and in a way that is consistent with our obligations and your rights under the law.

2. INFORMATION ABOUT US

For the purposes of UK data protection law, the data controller is JBM Estate Agents Limited registered in Scotland under company number SC405691. Our registered address is 10 Northgate, Peebles, Scottish Borders, EH45 8RS.

Our Data Protection Officer is Mr Scott Murray who can be contacted by emailing mail@jbmestateagents.co.uk or by telephoning 01721 540170.

3. WHAT DOES THIS NOTICE COVER?

This Privacy Policy explains how we use your personal data: how it is collected, how it is held, and how it is processed. It also explains your rights under the law relating to your personal data.

4. WHAT PERSONAL DATA DO WE COLLECT?

Personal data is any information about you that enables you to be identified. Personal data covers obvious information such as your name and contact details, but it also covers less obvious information such as identification numbers, electronic location data, and other online identifiers.

We collect and process the following information about you:

Identity & Contact Data: includes your full name, correspondence address, email address, telephone number, marital status, username, title, date of birth and gender.

Financial Data: includes bank account, payment card details and salary details.

Transaction Data: includes details relating to transactions paid for by you for other products or services purchased from us.

Technical Data: includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access our website.

Usage Data: includes details of your visits to our site and how you use our website.

Marketing & Communications Data includes your preferences in receiving marketing from us and our third-party providers and your communication preferences.

We do not collect any 'special category' or 'sensitive' personal data (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data). We do not collect data relating to criminal convictions and/or offences nor do we collect personal data relating to children.

5. HOW DO WE COLLECT YOUR PERSONAL DATA?

Directly: You may provide us with Identity, Contact and Financial Data by corresponding with us in person, by post, telephone, or email. This will include personal data you provide when you correspond:

- By requesting marketing to be sent to you
- By applying to use our services
- By contacting us through social media
- By providing us feedback
- By visiting us in the office
- By contacting us by post, telephone, or email

Indirectly: We may receive personal data about you from various third parties and public sources:

- From payment card service providers
- From Electoral Register data and Companies House data
- From property portals such as but not limited to Rightmove and Zoopla
- From various third parties, including but not limited to: Mortgage lenders, Solicitors, Local Authorities and Utility Suppliers

6. HOW WILL WE USE YOUR PERSONAL DATA?

We will use your personal data for the purpose for which it was collected, and should we need to process your data for a different purpose, then we will inform you. We may process your data for a different purpose without your consent where it is necessary for us to comply with our legal obligations.

Purpose/Activity	Type of Data	Lawful basis for processing
To communicate with you	Identity Contact Financial Transaction Marketing & Communications	Performance of our contract Legitimate interest
To carry out our contract with you	Identity Contact Financial Transaction Marketing & Communications	Performance of our contract Legitimate interest
To verify your identity	Identity Contact Financial	Legal obligation Legitimate interest
To issue service communications	Identity Contact Technical Usage	Legitimate interest
To issue direct marketing	Identity Contact Marketing & Communications	Consent (can unsubscribe at any time)
To permit third parties to contact you	Identity Contact Marketing & Communications	Consent (can unsubscribe at any time) Legitimate interest
To facilitate viewings	Identity Contact	Performance of our contract Legitimate interest
To progress a sale	Identity Contact Financial	Performance of our contract Legitimate interest

To notify changes in our services	Identity Contact	Performance of our contract Legal obligation
To ensure our website works Effectively	Identity Contact	Legitimate interest
To ensure our website is safe and secure	Identity Contact Financial	Legal obligation Legitimate interest
To provide customer support	Identity Contact	Performance of our contract
To comply with the law and/or a court order	Identity Contact Technical Usage	Legal obligation

The legal basis for processing your personal information in these ways is typically one of the following:

- **Consent.** You have consented to us using your personal information for this purpose. You can withdraw this consent at any time by contacting us.
- **Performance of a contract.** It is necessary for us to process your personal information to perform a contract with you, or for us to take steps on your instruction prior to entering into a contract with you.
- **Legitimate interests.** It is in our legitimate interests to use your personal information for this purpose to operate our website, to provide and promote our services, and to protect our business.
- **Legal obligations.** It is necessary for us to process your personal information to comply with the law.

7. SHARING YOUR PERSONAL INFORMATION

We may share your personal information with third parties in the following circumstances:

- **Landlords, tenants, sellers, and buyers.** When you ask us to do so, we may share your personal information with current or prospective landlords, tenants, sellers, and buyers (and their respective advisors) in relation to any potential property sale or purchase. If any of these third parties is a business, then they will become a data controller of the information we provide, and their own privacy policies will apply.
- **Our business partners, suppliers, and subcontractors.** We may provide your personal information to our business partners, suppliers and subcontractors who are providing services to us, or where necessary to provide a service you have requested.
- **Surveyors and surveying companies.** We may provide your personal information to surveyors in order that they can assist in the transaction of selling or purchasing your property.
- **HMRC, regulators and other authorities.** We may provide your personal information to HMRC, regulators and other authorities to whom we owe a legal duty to provide information.
- **Estate agents, financial advisers, bankers, mortgage broker, solicitors, and other professional advisors.** We may provide your personal information to estate agents, financial advisers, bankers, mortgage broker, solicitors and other professional advisors who are involved in the transaction of selling or purchasing your property.

If any of your personal data is shared with a third party, as described above, we will take steps to ensure that your personal data is handled safely, securely, and in accordance with your rights, our obligations, and the third party's obligations under the law.

In some limited circumstances, we may be legally required to share certain personal data, which might include yours, if we are involved in legal proceedings or complying with legal obligations, a court order, or the instructions of a government authority.

8. STORING YOUR PERSONAL INFORMATION

The information we store about you is stored on computer systems based in the European Economic Area (EEA). This means that your personal data will be fully protected under the Data Protection Legislation, GDPR, and/or to equivalent standards by law.

9. HOW DO WE USE COOKIES?

Cookies are small text files that are placed on your computer's hard drive through your web browser when you visit any website. They are widely used to make websites work, or work more effectively, as well as to provide information to the owners of the site.

Like all other users of cookies, we may request the return of information from your computer when your browser requests a web page from our server. Cookies enable our web server to identify you to us, and to track your actions and the pages you visit while you use our website. The cookies we use may last for a single visit to our site (they are deleted from your computer when you close your browser) or may remain on your computer until you delete them or until a defined period of time has passed.

Although your browser software enables you to disable cookies, we recommend that you allow the use of cookies in order to take advantage of the features of our website that rely on their use. If you prevent their use, you will not be able to use all functionality of our website. Here are the ways we may use cookies:

First party session management: these are typically required by us to make sure you can move freely from one page to another and so that you can access and use certain services within the website. Normally, these cookies only last whilst your browser is open and are deleted when it is closed. Some may need to remain for the duration of your visit (a "session") or longer.

<i>Cookie name</i>	<i>Description</i>	<i>Duration</i>
3ada1d7ebede3c4d214d085418b6fd58	Used by our website to remember website search criteria and preferences	Session

Third party session management: these cookies are used to allow interaction between our website and certain of our third-party providers when you are using our website.

<i>Cookie name</i>	<i>Description</i>	<i>Duration</i>
Remote_sid	Allows YouTube to store a unique user ID	Session
vuid	Allows embedded Vimeo videos to work	2 years

Functionality: these cookies allow you to set and store preferences for our website, such as when you are offered the option to customise elements of the layout or content of the website.

<i>Third party</i>	<i>Description</i>
AddThis	Provides easy social media bookmarking http://www.addthis.com/privacy/opt-out

Interest-based advertising: these cookies allow third parties to identify what you might find interesting, allowing a more personalised and relevant selection of advertisements to be displayed when you browse the internet. They normally won't just be from us, but build an overall, but anonymous, picture of your preferences based on how you have browsed the internet to deliver more relevant advertising. You may see interest-based advertising on our website, but also on third party websites using information collected about your browsing activity on our website.

<i>Third party</i>	<i>Description</i>
AddThis	Collects information about your visit to our website for targeted advertising http://www.addthis.com/privacy/opt-out
AppNexus	https://www.appnexus.com/en/company/platform-privacy-policy#choices

Doubleclick	https://www.google.com/intl/en/policies/privacy/
Distillery	https://distillery.com/privacy-policy/#strong-privacy
Global.ib-ibi.com	https://assests.web.com/legal/English/PrivacyPolicy.pdf
Lotame	https://www.lotame.com/about-lotame/privacy/opt-out/
Media Innovation Group	http://www.themig.com/en-us/#
Oath	http://privacy.aol.com/
Semasio	http://www.semasio.com/de/nc/en/opt-out/
Tapad	https://www.tapad.com/privacy-policy/#opt-out
The Trade Desk	http://Insight.adsrvr.org/track/stop?action=dooptout
.w5cc.net	http://www.addthis.com/privacy/opt-out
Weborama	https://weborama.com/e-privacy/
Bluekai	Allows advertisers to serve advertising using cookies to our website http://www.bluekai.com/privacypolicy.php
YouTube	Serves interest-based advertising on embedded YouTube videos https://www.youtube.com/static?template=privacy_guidelines&gl=GB

9. HOW LONG WILL YOU KEEP MY PERSONAL DATA?

We will store your personal information for as long as is necessary for the purposes for which it is processed, including for the purposes of satisfying any legal, accounting or reporting requirements.

These periods will vary depending on the nature of the information and your interactions with us. By law we have to keep basic information about our clients and customers (including Contact, Identity, Financial and Transaction Data) for specified periods after they cease being clients and customers for tax purposes.

In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

10. DATA SECURITY

The security of your personal data is essential to us, and to protect your data, we take a number of important measures, including the following:

- Limiting access to your personal data to those employees, agents, contractors, and other third parties with a legitimate need to know and ensuring that they are subject to duties of confidentiality;
- Procedures for dealing with data breaches (the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, your personal data) including notifying you and/or the Information Commissioner's Office where we are legally required to do so.

11. YOUR RIGHTS

Under the Data Protection Legislation, you have the following rights, which we will always work to uphold:

Right to be informed – you have the right to be provided with clear, transparent, and easily understandable information about how we use your personal data, and we are providing this information in this Privacy Policy

Right of access – you have the right to obtain access to your personal data that we are processing so that you can check that we are processing your personal data correctly

Right to rectification – you can request to have your personal data corrected if it is inaccurate incomplete

Right to erasure – also known as the “right to be forgotten” which enables you to request the deletion or removal of your personal data, unless we must retain it by law

Right to restrict processing – you have the right to block or suppress your personal data so that we can no longer use it, however, we can still store the data

Right to data portability – you must be able to obtain and reuse your personal data in a format that is structured and readable and in certain circumstances you have the right to request to have this information passed directly to a third party

Right to object to processing – you have the right to object to us processing your personal data for our legitimate business interests or for direct marketing purposes

Right to withdraw consent for processing – you have the right to withdraw any consent previously granted at any time

Right to make a complaint – you have the right to complain to the Information Commissioner's Office (ICO) if you are unhappy with how we have handled your personal data, or you believe we have acted in breach of the Data Protection Act 2018

12. HOW CAN I ACCESS MY PERSONAL DATA?

If you want to know what personal data, we have about you, you can ask us for details of that personal data and for a copy of it (where any such personal data is held). This is known as a "subject access request." All subject access requests should be made in writing and sent to the email or postal addresses shown in Part 14. There is not normally any charge for a subject access request. If your request is 'manifestly unfounded or excessive' (for example, if you make repetitive requests) a fee may be charged to cover our administrative costs in responding.

We will respond to your subject access request within one month of receiving it. Normally, we aim to provide a complete response, including a copy of your personal data within that time. In some cases, however, particularly if your request is more complex, more time may be required up to a maximum of three months from the date we receive your request. You will be kept fully informed of our progress.

13. LINKS TO OTHER WEBSITES

Our website may contain links to other websites that are not run by us. If you follow a link to another website, please note that other websites have their own privacy policies, and we are not responsible for those policies or other websites' content. You should check these privacy policies before submitting any personal information to these websites.

14. CONTACTING US

To contact us about anything to do with your personal data and data protection, including to make a subject access request, please use the following details:

Contact name:	Mr Scott Murray
Email address:	mail@jbmestateagents.co.uk
Telephone number:	01721 540170
Postal Address:	10 Northgate, Peebles, Scottish Borders, EH45 8RS

We hope that we will be able to answer any questions or concerns that you have. You have the right at any time to raise your concern with the Information Commissioner's Office at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. You can contact them by telephoning 0303 123 1133 or by visiting their website, <https://ico.org.uk/make-a-complaint/>.

15. CHANGES TO THIS PRIVACY POLICY

We may change this Privacy Policy from time to time. This may be necessary, for example, if the law changes, or if we change our business in a way that affects personal data protection. This Privacy Policy was last updated in January 2021.