

## **THE CONVEYANCING FOUNDATION PRIVACY NOTE**

*The Conveyancing Foundation is committed to protecting the privacy and security of your personal information.*

*The Conveyancing Foundation is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you. We are required under Data Protection legislation to notify you of the information contained in this Privacy Note*

### **Introduction**

The EU General Data Protection Regulations (“GDPR”) will come into effect on **25th May 2018** and will place greater obligations on how we handle personal information held about our Members/Partners.

We are committed to protecting and respecting your personal information and privacy. We also recognise the importance of the correct and lawful treatment of personal information and will only use your personal information as set out in this Privacy Note, which should be read carefully.

We have appointed a Data Protection Officer to oversee compliance with this Privacy Note. If you have any questions or queries in relation to the content of this Privacy Note or how we handle your personal information, please contact our Data Protection Officer at [info@conveyancingfoundation.org.uk](mailto:info@conveyancingfoundation.org.uk) or by post to Data Protection Officer, The Conveyancing Foundation, Maxwell Chambers, 34-38 Stow Hill, Newport, South Wales, NP20 1JE.

It is important that the personal information that we hold about you is accurate and current. Please ensure that we are updated of any changes to your personal information.

### **Data Protection Principles**

We will comply with Data Protection legislation, which provides that the personal information that we hold about you must be:-

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date
- Kept only as long as necessary for the purposes that we have told you about.

- Kept securely.

**How we collect personal information about you?**

We use different methods to collect personal information from and about you, which include:-

*Directly from you* – Generally, the personal information that we obtain about you will be obtained directly from you via your Membership Application and during correspondence/communication with you.

*From Third Parties* – We may also obtain personal information about you from other sources, which may include employees/representatives of The Conveyancing Foundation, fellow members/partners, charitable organisations and other interested third parties (such parties include, but are not limited to Representative Bodies (e.g. The Conveyancing Association and Secretariat) Government Agencies, Regulators, Law Enforcement Agencies and Auditors). Please note that this list is not exhaustive

**What information The Conveyancing Foundation holds about you?**

We will collect and hold certain personal information about you.

Such personal information may include:-

Your Title and Full Name	Address details
Contact Telephone Numbers	Contact E-mail Address
Evidence of Signature	Banking details.

Please note that this list is not exhaustive.

We do not collect any Special Categories of personal information about you - this includes details about your race or ethnicity, religious beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic information.

**How will The Conveyancing Foundation use your information?**

We will only use your personal information when the law allows us to and for the purposes for which we collected the information.

We **WILL** use the information held about you for the following purposes:-

- To fulfil our obligations in accordance with your Membership.
- Where we need to comply with a legal obligation.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

We may also use your personal information in the following situations, which are expected to be rare:-

- Where we need to protect your interests (or someone else’s interests).
- Where it is needed in the public interest.

## **Disclosure of your personal information**

We need all of the categories of information as delineated in the Appendix to this Privacy Note primarily to allow us to fulfil our obligations in accordance with your Membership and to enable us to comply with legal obligations. In some cases, we may use your personal information to pursue legitimate interests of our own or those of third parties, provided of course that your interests and fundamental rights do not override those interests.

The situations in which we will process your personal information are set out in the Appendix to this Privacy Note along with the purpose for which we are processing or will process your personal information.

Some of the grounds for processing your information will overlap and there may be several grounds, which justify our use of your personal information.

## **Data Sharing**

We may need to share your personal information with third parties.

Such third parties may include employees/representatives of The Conveyancing Foundation, fellow members/partners, charitable organisations and other interested third parties (such parties include, but are not limited to Representative Bodies (e.g. The Conveyancing Association and Secretariat) Government Agencies, Regulators, Law Enforcement Agencies and Auditors) in accordance with membership needs.

We will require such third parties to respect the security of your information and to treat it in accordance with Data Protection legislation.

All of our third party service providers are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third party service providers to use your personal information for their own purposes. We only permit them to process your personal information for specified purposes.

## **If you fail to provide personal information**

We will require certain information from you to comply with our responsibilities to you. Please note that if you fail to provide certain information when requested, we may not be able to comply with our responsibilities to you or we may be prevented from complying with our legal obligations.

## **Change of purpose**

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis, which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## **How long will The Conveyancing Foundation retain information held about you?**

We will only retain your personal information for as long as necessary and to fulfil the purposes for which your information has been collected, including for the purposes of satisfying any legal, statutory, regulatory, accounting or reporting requirements.

When a prospective Member/Partner makes application to join The Conveyancing Foundation and their application is rejected or alternatively, the prospective Member/Partner decides to withdraw their application, we anticipate that the information held will be deleted/removed from our systems within 12 months of receipt of the original application.

To determine the appropriate retention period for personal information, we consider the amount, nature and sensitivity of the personal information, the potential risk of harm from unauthorised use or disclosure of your personal information, the purposes for which we process your personal information and whether we can achieve those purposes through other means and the applicable legal requirements.

In certain cases, we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

## **What are your rights relating to the use of your data?**

Under the GDPR you have certain rights in respect of the processing of your personal information, which may vary dependent upon the legal basis for the collection of your personal information and the uses made of this personal information.

For all uses made of your personal information you have the right to be informed about how we use your personal information. This Privacy Note discharges that obligation. However, further rights may apply in different circumstances, as set out below:-

- **Right of Access** – you have a right to access a copy of the personal information that we hold about you (subject to Data Protection Laws). You will not have to pay a fee to access your personal information (or to exercise any of your other rights).
- **Right of Rectification** – you have a right to correct personal information that we hold about you if the information held is inaccurate or incomplete.
- **Right to be Forgotten** – in certain circumstances you may ask for the personal information held about you to be removed/destroyed (please note the limitations imposed by the retention period delineated above).
- **Right to Restrict Processing** – where certain conditions apply you have a right to restrict processing.
- **Right to Data Portability** – you have the right to have the personal information held about you to be transferred to a nominated third party in accordance with your instructions. You also have the right for such information to be transferred in a suitable format.
- **Right to Object** – you have the right to object to certain types of processing, such as marketing purposes. Please note that we will only ever use your contact information for marketing purposes where you have provided express consent.
- **Right to Withdraw Consent** – in the limited circumstances where you have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time, by providing appropriate

notification of the withdrawal of your consent to the Data Protection Officer at [info@conveyancingfoundation.org.uk](mailto:info@conveyancingfoundation.org.uk) or by post to Data Protection Officer, The Conveyancing Foundation, Maxwell Chambers, 34-38 Stow Hill, Newport, South Wales, NP20 1JE.

- Right of Notification – you have the right to be notified of any breach of our responsibilities in relation to the use of and processing of your personal information.

In the event that you wish to exercise any of these rights, please make your request in writing to our Data Protection Officer.

### **Is your information secure?**

We will collect and store personal information about you securely. We will only pass this information to other parties where it is appropriate and lawful for us to do so and via controls, which require an identified purpose and which ensure that such information is transferred to such other parties safely and securely.

We have implemented appropriate security measures to prevent your personal information from being lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

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

### **Transfer of Information outside of European Union**

We will not transfer any information outside of the European Union

### **Further information**

For a full description of the information that we hold about you; your rights; the relevant legal information and complaints, please write to the Data Protection Officer at [info@conveyancingfoundation.org.uk](mailto:info@conveyancingfoundation.org.uk) or by post to Data Protection Officer, The Conveyancing Foundation, Maxwell Chambers, 34-38 Stow Hill, Newport, South Wales, NP20 1JE.

You have the right to make a complaint at any time to the relevant supervisory authority. The UK supervisory authority for Data Protection issues is the Information Commissioners Office (ICO).

We reserve the right to update this Privacy Note when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

## **Appendix**

Details of information categories, how your information is processed and the legal basis for processing your information:-

<b>Category of Information</b>	<b>How information is used</b>	<b>Legal Basis</b>
Personal information to include:- Title, Full Name, Address details Contact telephone numbers, e-mail addresses	To process your application To invite you to meetings and events Internal data analysis Advising you of our services/benefits Compliance with legal obligations	Consent* Consent* Legitimate Interests Consent* Legal Obligation
Signatures	To process your application	Consent*
Bank Details	To process your application Compliance with legal obligations	Consent* Legal Obligation

\*Consent can be withdrawn in accordance with your rights.