



GDPR: DATA PRIVACY NOTICE FOR RESIDENTS

ermc Limited ("We") are committed to protecting and respecting your privacy. This policy and any other documents referred to on it) sets out the basis on which any personal data we collect from you, or that you provide to us, will be processed by us. Please read the following carefully to understand our views and practices regarding your personal data and how we will treat it.

The rules on processing of personal data are set out in the General Data Protection Regulation (the "GDPR").

1. Definitions

Data controller - A controller determines the purposes and means of processing personal data.

Data processor - A processor is responsible for processing personal data on behalf of a controller.

Data subject – Natural person

Categories of data: Personal data and special categories of personal data

Personal data - The GDPR applies to 'personal data' meaning any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier (as explained in Article 6 of GDPR).

Special categories personal data - The GDPR refers to sensitive personal data as 'special categories of personal data' (as explained in Article 9 of GDPR). The special categories specifically include genetic data, and biometric data where processed to uniquely identify an individual.

Processing - means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

Third party - means a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data.

2. Who are we?

Our Managing Director is the data controller and manages this policy in determining how your personal data is processed and for what purposes. For all data matters contact our Managing Director on 03300 240365.

3. The purpose(s) of processing your personal data

We use your personal data for the following purpose:

- To fulfil the obligations as managing agent to the Management Company and Estate, set out within the development’s Management Agreement.

4. The categories of personal data concerned

With reference to the categories of personal data described in the definitions section, we process the following categories of your data:

- Personal data – name, address, email address, contact phone number(s),

We have obtained your personal data either from the developer or from communications directly with us.

5. What is our legal basis for processing your personal data?

a) Personal data (article 6 of GDPR)

Our lawful basis for processing your general personal data:

Processing necessary for the purposes of the legitimate interests of the data controller or a third party, except where such interests are overridden by the interests or fundamental rights or freedoms of the data subject	Processing necessary to fulfil the obligations as managing agent to the Management Company and Estate, set out within the development’s Management Agreement. Legitimate Interest
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5.1. Purpose

- a) Personal data is an essential requirement to fulfil the role as Managing Agent for each individual Management Company.
- b) The benefit of processing personal data is that ermc Property Management can fulfil our obligations set out within the ‘*Management Agreement*’ to each Management Company and Estate, which without the data would not be possible.
- c) Data is only passed onto a 3rd party to completes the duties of our role which ermc Property Management cannot fulfil. *I.e A contractor is required to carry out works relating to a resident and requires a telephone number or email address to arrange the works to be completed. Or in the event of a resident’s account showing outstanding debt, personal data may be referred to the courts or a debt collection agency.*
- d) The impact of not processing subject data would mean that ermc Property Management would not be able to provide updates to services, notices, service charge budgets and billing/invoices. This would have a detrimental impact to the estates as without personal data ermc cannot send invoices meaning accounts would not be paid and in turn monies would not be available to maintain the developments.

5.2. Necessity

- a) ermc Property Management cannot achieve its purpose without processing data

- b) ermc Property Management only processes the data necessary to be able to perform its duties.

6. Sharing your personal data

Your personal data will be treated as strictly confidential and will be shared only with our staff and any third-party person/company that is deemed necessary in order to fulfil our legitimate interest on a specified development.

7. How long do we keep your personal data?

- Personal data will be kept whilst a data subject is residing in a dwelling within an estate managed by ermc Property Management on behalf of the Management Company. If the data subject vacates/sells their property, their personal data will be destroyed once their account has been settled. If a debt remains after vacating/selling, then the data will be retained until the debt is cleared.

8. Providing us with your personal data

We require your personal data as it is a requirement necessary to maintain contact and fulfil our obligation to the Management Company and Estate.

9. Your rights and your personal data

Unless subject to an exemption under the GDPR, you have the following rights with respect to your personal data:

- The right to request a copy of the personal data which we hold about you;
- The right to request that we correct any personal data if it is found to be inaccurate or out of date;
- The right to request your personal data is erased where it is no longer necessary to retain such data;
- The right, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction is placed on further processing;
- The right to object to the processing of personal data, (where applicable i.e. where processing is based on legitimate interests (or the performance of a task in the public interest/exercise of official authority); direct marketing and processing for the purposes of scientific/historical research and statistics).

10. Further processing

If we wish to use your personal data for a new purpose, not covered by this Data Privacy Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions.

11. Changes to our privacy policy

Any changes we may make to our privacy policy in the future will be posted on this page and, where appropriate, notified to you by e-mail. Please check back frequently to see any updates or changes to our privacy policy.

12. How to make a complaint

To exercise all relevant rights, queries or complaints please in the first instance contact our Managing Director on 03300 240365. If this does not resolve your complaint to your satisfaction, you have the right to lodge a complaint with the [Information Commissioners Office](https://ico.org.uk/global/contact-us/email/) on 03031231113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, England.