

THE DILAPIDATIONS ASSOCIATION'S PRIVACY POLICY

The Dilapidations Association (a company under registered number 11795999) (referred to as the "**Association**", "**we**", "**us**" or "**our**" in this privacy policy) respects your privacy and is committed to protecting your personal data.

This privacy policy will inform you as to how we look after your personal data when you become a member of the Association and/or when you visit our website (regardless of whether you are or are not a member of the Association) and tells you about your privacy rights and how the law protects you.

1. IMPORTANT INFORMATION AND WHO WE ARE

Purpose of this privacy policy

This privacy policy aims to give you information on how the Association collects and processes your personal data either because you are a member or because you use this website (whether or not you are a member), including any data you may provide through this website when you apply to become a member.

This website is not intended for children and we do not knowingly collect data relating to children.

It is important that you read this privacy policy together with any other notices and policies we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy policy supplements other notices and privacy policies and is not intended to override them.

Controller

The Association is the controller and is therefore responsible for your personal data.

We have appointed a data privacy manager who is responsible for overseeing questions in relation to this privacy policy. If you have any questions about this privacy policy, including any requests to exercise your legal rights, please contact the data privacy manager using the details set out below.

Contact details

If you have any questions about this privacy policy or our privacy practices, please contact our data privacy manager in the following ways:

Full name of legal entity: The Dilapidations Association

Email address: pag@gilliesconsulting.com

Postal address: 32 Fillebrook Avenue, Leigh on Sea, Leigh-On-Sea, Essex, SS9 3NT

Telephone number: (0)7939-572702

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

Changes to the privacy policy and your duty to inform us of changes

We keep our privacy policy under regular review. This version was last updated on 9 December 2019.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

Third-party links

This website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy policy of every website you visit.

2. THE DATA WE COLLECT ABOUT YOU

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

- **Identity Data** includes first name, last name, preferred title and business organisation/employer name.
- **Contact Data** includes postal address of business organisation/employer, business or personal email address and telephone number.
- **Transaction Data** includes details about membership payments from you and renewal timing of subscription payments when falling due.
- **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 this website.
- **Profile Data** includes your username and password, your qualifications, regional location, events preferences and event attendance details, feedback and survey responses.
- **Usage Data** includes information about how you use our website, membership benefits, events and services.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and your communication preferences.

We also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data could be derived from your personal data but is not considered personal data in law as this data will **not** directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy policy.

We do not collect any **Special Categories of Personal Data** about you (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). Nor do we collect any information about criminal convictions and offences.

If you fail to provide personal data

Where we need to collect personal data by law, or under the terms of your membership of the Association, and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with membership benefits, events and services). In this case, we may have to cancel your membership with us but we will notify you if this is the case at the time.

3. HOW IS YOUR PERSONAL DATA COLLECTED?

We use different methods to collect data from and about you including through:

- **Direct interactions.** You may give us your Identity, Contact and Transaction Data by filling in a membership application form or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:
 - apply for membership to the Association or book a place at an event;
 - create an account on our website for use in viewing the Member Directory;
 - request information about membership benefits, events and services to be sent to you;
 - provide a review or complete a survey; or
 - give us feedback or contact us.
- **Automated technologies or interactions.** As you interact with our website, we will automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies.

- **Third parties or publicly available sources.** We may receive personal data about you from various third parties and public sources as set out below:

Technical Data from the following parties:

- (a) analytics providers such as Google based inside or outside the EU;
- (b) advertising networks based inside or outside the EU; and
- (c) search information providers based inside or outside the EU.

Identity and Contact Data from:

- (d) data brokers or aggregators based inside or outside the EU.
- (e) publicly available sources such as The Property Litigation Association.

4. HOW WE USE YOUR PERSONAL DATA

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to manage your membership with the Association which we regard as a contract for services between you and the Association – we refer to this as **performance of a contract**;
- 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. When we talk about legitimate interests in this way we are meaning the interests of the Association as an organisation to enable us to give you the best benefits, events and services and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us at <http://dilapidationsassociation.com/contact.html> – we refer to this as being **for our legitimate interests**; or
- Where we need to comply with a legal obligation to which the Association or any member of the Association is subject – we refer to this as **to comply with a legal obligation**.

Generally, we do not rely on consent as a legal basis for processing your personal data although we will get your express consent before including your details in any publicly available Membership Directory or before sending third party direct marketing communications to you via email or text

message. You have the right to withdraw consent to either of these uses of your personal data at any time by contacting us.

Purposes for which we will use your personal data

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below:

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest	Retention Period
To register you as a new member	(a) Identity (b) Contact	Performance of a contract with you	Duration of membership plus one year
To process and manage your membership arrangements and subscription fees when due, including reminding you when your membership is due for renewal	(a) Identity (b) Contact (c) Transaction	(a) Performance of a contract of membership with you (b) Necessary for our legitimate interests (to recover membership subscription fees due to us)	Duration of membership plus one year, save for Transaction Data held as a record of payments made will be retained for a period of up to six years following each such payment
To manage our relationship with you which will include: (a) Notifying you about membership changes or changes to our terms or privacy policy (b) Asking you to leave a review or take a survey or provide feedback on membership benefits, events and services	(a) Identity (b) Contact (c) Profile (d) Marketing and Communications	(a) Performance of a contract of membership with you (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to keep our records updated and to study how members use or want to use our membership benefits, events and services)	Duration of membership plus one year

To host membership events	(a) Identity (b) Contact (c) Profile	(a) Performance of a contract of membership with you (b) Necessary for our legitimate interests (to enable us to inform third party hosts and speakers of the identity of attendees to events including for security and health and safety purposes)	Duration of membership plus one year
To administer and protect our organisation and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(a) Identity (b) Contact (c) Technical	(a) Necessary for our legitimate interests (for running our organisation, provision of administration and IT services, network security, to prevent fraud and in the context of an organisation any reorganisation or restructuring exercise) (b) Necessary to comply with a legal obligation	Duration of membership plus one year
To deliver relevant website content to you and measure or understand the effectiveness of the content we make available to you	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications (f) Technical	Necessary for our legitimate interests (to study how members use our benefits, events and services, to develop them, to grow our organisation and its membership and to inform our marketing and event strategy)	Duration of website session if not a member or for membership plus one year
To use data analytics to improve our website, membership benefits, events and services	(a) Technical (b) Usage	Necessary for our legitimate interests (to define types of membership by reference to use of our benefits, events and services, to keep our website updated and relevant, to develop our organisation and to inform our marketing and event strategy)	Duration of website session
To make suggestions and recommendations to you about membership benefits, events and services that may be of interest to you	(a) Identity (b) Contact (c) Technical (d) Usage (e) Profile	Necessary for our legitimate interests (to develop our membership offering and to grow our organisation)	Duration of membership plus one year

	(f) Marketing and Communications		
To compile a publically accessible membership directory enabling non-member users of the Association website to locate individuals from amongst the membership of the Association	(a) Identity (b) Contact	Only with your consent which you may withdraw at any time by by contacting us at: http://dilapidationsassociation.com/contact.html	Duration of consent only

Membership Information from us

We may use your Identity, Contact, Technical, Usage, Profile and Marketing and Communications Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which membership benefits, events and services (**Membership Information**) may be relevant for you.

You will receive communications from us containing Membership Information provided you have not opted out of receiving that Membership Information.

Third-party marketing

We will not share your personal data with any third party for their marketing purposes and will only share your personal data with external third parties in order to administer our own marketing purposes as set out in section 5 below.

Opting out

You can ask us to stop sending you Membership Information at any time by following the opt-out links on any message containing Membership Information sent to you or by contacting us at any time.

Where you opt out of receiving these messages containing Membership Information, this will not apply to personal data provided to us which we need to use in order to manage your membership, but it will result in you no longer receiving information about the benefits, events and services which you are entitled to as a member of the Association.

Cookies

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of this website may become inaccessible or not function properly.

Change of purpose

We will only use your personal data 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 you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us <http://dilapidationsassociation.com/contact.html>.

If we need to use your personal data 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 data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

5. DISCLOSURES OF YOUR PERSONAL DATA

We may share your personal data with the parties set out below for the purposes set out in the table above:

- External Third Parties including:
 - Service providers acting as processors based in the United Kingdom who provide IT and system administration services, including our outsourced provider of administration services.
 - Service providers acting as processors for the purposes of sending Membership Information to you, including the mailing services provider, The Rocket Science Group LLC, which provides the service known as Mailchimp.
 - Professional advisers acting as processors or joint controllers including lawyers, bankers, auditors and insurers based in the United Kingdom who provide consultancy, banking, legal, insurance and accounting services.
 - HM Revenue & Customs, regulators and other authorities acting as processors or joint controllers based in the United Kingdom who require reporting of processing activities in certain circumstances.
- Third parties to whom we may choose to sell, transfer or merge parts of our organisation or our assets in future. Alternatively, we may seek to acquire or merge with other membership based organisations. If a change happens to our organisation, then the new owners may use your personal data in the same way as set out in this privacy policy.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

6. INTERNATIONAL TRANSFERS

We do not transfer your personal data outside the European Economic Area (**EEA**), save for the use of our third party mailing services provider, The Rocket Science Group LLC, which provides the service known as Mailchimp.

The Mailchimp service uses servers and has its offices based in the United States and as a result your personal information that we use in the process of sending communications and Membership Information to you may be transferred to, stored or processed outside the EEA and in the United States. We have satisfied ourselves that Mailchimp participates in and has certified its compliance with the EU-U.S. Privacy Shield Framework. The Privacy Shield Framework requires organisations who sign up to its commitments to provide similar protection to personal data shared between EU countries and the US.

Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the EEA.

7. DATA SECURITY

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

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

8. DATA RETENTION

How long will you use my personal data for?

We will only retain your personal data for as long as reasonably necessary to fulfil the membership purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements, so generally speaking this means we will delete your personal data at the expiry or termination of your membership with the Association. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

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

Details of retention periods for different aspects of your personal data are set out in the table '*Purposes for which we will use your personal data*' above.

In some circumstances you can ask us to delete your data: see the section on your legal rights below for further information.

In some circumstances we will 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.

9. YOUR LEGAL RIGHTS

Under certain circumstances, you have rights under data protection laws in relation to your personal data. You have the right to:

- 9.1 **Request access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- 9.2 **Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.
- 9.3 **Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
- 9.4 **Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
- 9.5 **Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:
 - If you want us to establish the data's accuracy.
 - Where our use of the data is unlawful but you do not want us to erase it.
 - Where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims.
 - You have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

- 9.6 **Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.
- 9.7 **Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

If you wish to exercise any of the rights set out above, please contact us at <http://dilapidationsassociation.com/contact.html>.

No fee usually required

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

Time limit to respond

We try to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.