

Elan Technology Group Ltd (“**We, Us, Our**”) understands that your privacy is important and that you care about how your personal data is used. We respect and value the privacy of all individuals (known as Data Subjects) that is provided to or obtained by Us during the course of Our business activities 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.

The (“**Applicable Data Protection Law**”) means all legislation and regulations in force from time to time regulating the use of personal data and the privacy of electronic communications including, but not limited to, the retained EU law version of the General Data Protection Regulation ((EU) 2016/679) (the “**UK GDPR**”), as it forms part of the law of England and Wales, Scotland, and Northern Ireland by virtue of section 3 of the European Union (Withdrawal) Act 2018, the Data Protection Act 2018, the Privacy and Electronic Communications Regulations 2003 as amended, and any successor legislation.

1. Information About Us as a Data Controller

Elan Technology Group Ltd (T/A Elan) is a company registered in England and Wales. Registered number: 12866092. Registered office: 2 Saffron Court, Wombwell, Barnsley, S73 0AP

Data Protection Officer: Adele Sagar

- Email address: support@elanconvey.co.uk
- Telephone number: 0113 543 0800.
- Postal address: 2 Saffron Court, Wombwell, Barnsley, S73 0AP.

We are regulated by The Property Codes Compliance Board (PCCB).

We are a Search Code™ Subscriber member of The Council of Property Search Organisations (CoPSO), a member of the UK Legal Tech Association and the Independent Property Search Association (IPSA).

We are an appointed representative of CLS Property Insight Limited, which is authorised and regulated by the Financial Conduct Authority (FCA Number 718255).

2. What Does This Notice Cover?

This Privacy Notice 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.

3. What Is Personal Data?

Personal data is defined by the **Applicable Data Protection Law** as ‘any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier’.

Personal data is, in simpler terms, 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.

The personal data that We use is set out in section 5, below.

It is important that your personal data is kept accurate and up to date. If any of the personal data We hold about you changes, please keep Us informed whilst ever We have that data.

4. What Are My Rights?

Under the Applicable Data Protection Law, you have the rights to:

- Request access** to your personal data (commonly known as a data subject access request or DSAR). This means you can ask for and receive a copy of the personal data We hold about you and check that We are lawfully processing it.
- Request correction** of the personal data that We hold about you. This means you can have any incomplete or inaccurate data We hold about you corrected, though We may need to confirm the accuracy of any new data you provide.
- Request erasure** of your personal data (sometimes referred to as the right to be forgotten). This means you can 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 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 the law. However, 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.

- d. **Object to processing** of your personal data where We are relying on a legitimate interest (or those of a third party) as you feel it impacts on your fundamental rights and freedoms and there is something about your particular situation which makes you want to object to the processing. 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.
- e. **Request restriction** of processing of your personal data. This means you can ask Us to suspend the processing of your personal data in the following scenarios: (a) to establish the data's accuracy; (b) where Our use of the data is unlawful but you do not want Us to erase it; (c) 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; or (d) you have objected to Our use of your data but We need to verify whether We have overriding legitimate grounds to use it.
- f. **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.
- g. **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.

Note We do not rely on consent as a legal basis for processing personal data. We are working with you in a business capacity, and We consider that you are not providing data which relates to you as an individual nor in respect of your personal life.

If you wish to exercise any of the rights set out above, please contact Us. 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 may refuse to comply with your request in these circumstances.

Additionally, 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.

Further information about your rights can also be obtained from the Information Commissioner's Office or your local Citizens Advice Bureau.

If you have any cause for complaint about Our use of your personal data, you have the right to lodge a complaint with the Information Commissioner's Office. We would welcome the opportunity to resolve your concerns ourselves, however, so please contact Us first, using the details in section 11 below.

5. What Personal Data Do You Collect and How?

We may collect and use your personal data which We have collected because you are:

- (i) a businessperson and user of the website/ordering platform or purchase goods from Us by other agreed methods ("**Business Client**")
- (ii) a businessperson with whom We would like to do business with ("**Prospect**") or
- (iii) a supplier to Us ("**Third-Party Supplier**").

The data We collect and Our use of it depends on the context of Our dealings with you as Business Client or Third-Party Supplier. In this notice where We refer to "you" We do not make a distinction between these routes of collection and uses, and this distinction will be driven by the context. However, We have indicated the Data Types and data subjects in the table below.

We do not collect any 'special category' or 'sensitive' personal data or personal data relating to children.

Our systems are designed to allow you to enter certain information about your customers ("the **End User**" and/or "**End User Data**") in order to procure the various goods We supply directly or indirectly (via third party suppliers). The End User is a customer of yours who is the intended beneficiary of the products or services provided by Us. To the extent that We process your End User Data please see the Data Processing Notice www.elanconvey.co.uk/processing-notice. All products are supplied in accordance with Our Supply Terms www.elanconvey.co.uk/supply-terms.

Data Type	Data Subjects	Data Collected	How the Data is Collected
Account Data	Business Clients Other persons granted view only access to the ordering platform which could include a Prospect	Identity and contact Information including: Name Email Telephone Job Title Business name/legal entity Business address Username for the ordering platform	You will input the required data directly into Our ordering platform as part of the registration process or We will ask you to provide it to Us to enter when setting up your account on your request or to demonstrate the system if you are a Prospect.
Billing Data	Business Clients Third-Party Suppliers	Business name/legal entity Business billing address Your reference	You will input the required data directly into Our ordering platform as part of the registration process and/or as part of an order; or We will ask you to provide it to Us to enter when setting up your account on your request, or by way of setting up supplier details.
Financial Data	Business Clients Third-Party Suppliers	Bank account details for debits and credits	Provided by Business Clients & Third-Party Suppliers as part of the finance set up process
End User Data	Where We process personal data of the End User of a Business Client provided to Us by the Business Client who is the Controller of that data. Then see Our Data Processing Notice – End User Data www.elanconvey.co.uk/processing-notice Where you enter this information through an Integration the third party supplier's privacy notice will apply.	Personal data may include: Title name maiden name current address purchase address date of birth gender previous addresses passport details driving licence details Bank Account Telephone national insurance number	Inputted into the Ordering Platform by you or Us on your request
Order Data	Business Client Third-Party Supplier	Details about products and amounts payable to and from you and other details relating to the order you have placed with Us or We have purchased from you	Generated from the data inputted into the Ordering Platform by you or Us
Technical Data	Business Clients	Login data	Inputted on sign up and account management
Profile Data	Business Clients; Prospects.	Details may include: username and password, purchases or orders made by you, your interests, preferences, feedback and survey responses	Inputted/generated in Our ordering platform or CRM, or captured verbally and held in associated files on Our servers

Marketing and Communications Data	Business Clients Third-Party Suppliers Prospects	Your preferences in receiving marketing from Us Your communication preferences Identity and contact Information	Captured in Our CRM or similar/connected systems
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6. How Do You Use My Personal Data?

Under the Applicable Data Protection Law, We must always have a lawful basis for using personal data.

Most commonly, We will use personal data in the following circumstances:

- Where We need to **perform the contract** We are about to enter into or have entered into with you.
- 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.
- Where We need to comply with a **legal or regulatory obligation**.

Performance of Contract means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

Legitimate Interest means the interest of Our business in conducting and managing Our business to enable Us to give you the best service/product 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 personal data for Our legitimate interests. We do not use 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.

Comply with a legal or regulatory obligation means processing personal data where it is necessary for compliance with a legal or regulatory obligation that We are subject to.

The following table describes how We intend to use your personal data, and Our lawful bases for doing so:

Purpose/Activity	Data Type	Lawful basis for processing including basis of legitimate interest
To register you as a Client including user of an online ordering platform or Integration	Account Data Billing Data Financial Data	Necessary for the performance of a contract with you.
To process and deliver your order including: (a) Manage payments, fees and charges (b) Collect and recover money owed to Us	Financial Data Billing Data Order Data Marketing and Communications Data	Necessary for the performance of a contract with you and/or necessary for Our legitimate interests (to recover debts due to Us).
To manage Our relationship with you which will include: (a) Notifying you about changes to Our terms or privacy and other legal notices (b) Letting you know about any website or other service issues (c) Communicating with you to deliver services (d) Requesting feedback, recommendation, or referral of Our services	Account Data Financial Data Marketing and Communications Data	Necessary for the performance of a contract with you and/or necessary to comply with a legal obligation and/or necessary for Our legitimate interests (to research how customers use the products / services We provide in order to review and develop them and grow Our business).
To administer and protect Our business and Our websites / ordering platforms (including troubleshooting, data analysis, testing, system maintenance, support, reporting, Integrations	Account Data Order Data Technical Data	Necessary for Our legitimate interests (for running Our business, provision of administration and IT services, network security, to prevent fraud and/or necessary to comply with a legal obligation).

and hosting of data)		
To use data analytics to improve Our websites, ordering platforms, products/services, marketing, customer relationships and experiences	Technical Data Usage Data Marketing and Communications Data	Necessary for Our legitimate interests (to define types of customers for Our products and services, to keep Our website updated and relevant, to develop Our business and to inform Our marketing strategy).
To make suggestions and recommendations to you about goods or services that may be of interest to you	Account Data Technical Data Usage Data Profile Data Marketing and Communications Data	Necessary for Our legitimate interests (to develop Our products/services and grow Our business).

Marketing and Communications Data

We may also use your personal data for marketing purposes, which may include contacting you with information, news and offers about Our products and services. You will not be sent any unlawful marketing or spam. We will always work to fully protect your rights and comply with Our obligations under the Applicable Data Protection Law and you will always have the opportunity to opt-out at any time. We do not share your personal data with third parties for marketing purposes.

We will only use your personal data for the purpose(s) for which it was originally collected unless We reasonably believe that another purpose is compatible with that or those original purpose(s) and need to use your personal data for that purpose.

If We need to use your personal data for a purpose that is unrelated to, or incompatible with, the purpose(s) for which it was originally collected, We will inform you and explain the legal basis which allows Us to do so.

In some circumstances, where permitted or required by law, We may process your personal data without your knowledge or consent. This will only be done within the bounds of the Applicable Data Protection Law and your legal rights.

7. How Long Will You Keep My Personal Data?

We will not keep your personal data for any longer than is necessary in light of the reason(s) for which it was first collected. Your personal data will therefore be kept for the following periods (or, where there is no fixed period, the following factors will be used to determine how long it is kept):

Type of Data	How Long We Keep It
Information required for fulfilment of a contract	For seven years after they cease being clients for tax purposes
Communication Data	Until you unsubscribe or otherwise opt out of receiving communications for Us
Financial Data	For seven years after they cease being clients for tax purposes
Information required to process an AML/ID verification search which includes End User Data	We will store the personal data provided for 12 months. This cut off point aligns with the Third-Party Suppliers retention policy which has been determined to bring a balance between the needs of clients to access checks that have been carried out and GDPR. Best practice guidance for AML compliance is checks should be carried out at least once a year making any checks older than this of little value.
Information used as part of a Quotation for (including End User Data):	
Insurance	We will store the personal data provided for 180 days as this is when the quote will expire.
All other products	We will store the personal data provided for 90 days as this is when the quote will expire
Information submitted as part of an order (including End User Data)	Retained for 20 years so We can provide copies of previous searches to customers or clients and to investigate and defend any complaints

	or claims against Us. These products are involved in the conveyancing process and the requirement for re-examination may arise only at the time a property is re-sold – which may be many years after the products were originally procured.
Search order and related research data (including End User Data)	Generally, We keep the information that is required to provide services and products to you for 20 years. This is because We need to be able to investigate claims and provide copies of searches to Customers or Clients. These products are involved in the conveyancing process and the requirement for re-examination may arise only at the time a property is re-sold – which may be many years after the products were originally procured.
Marketing contact data/email addresses (unsubscribes)	For people who have requested Us to remove them from the marketing database We keep this record indefinitely so as to prevent resending
Anonymised Data for research and development	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.

8. How and Where Do You Store or Transfer My Personal Data?

Generally, for Our internal functions We do not transfer your personal data outside the UK or the European Economic Area (EEA). The EEA consists of all EU member states, plus Norway, Iceland, and Liechtenstein. This means that your personal data will be fully protected under the EU GDPR and/or to equivalent standards by law. Transfers of personal data to the EEA from the UK are permitted without additional safeguards.

We use Cloud Based data storage solutions and personal data collected by Us may be transferred to the following data processors:

Data Processor	Service Provided	Location of Processor	Legal Framework	Processor Privacy Notices / Further Information
Amazon Web Services	Secure Software Systems and Data Storage	Republic of Ireland	UK GDPR Compliant	https://aws.amazon.com/compliance/data-privacy-faq/
HubSpot	CRM Business contacts data and email subscriber management	Republic of Ireland	UK GDPR Compliant	https://legal.hubspot.com/product-privacy-policy
Microsoft Office 365	MS Office Software e.g Outlook and Sharepoint file data storage	Republic of Ireland	UK GDPR Compliant	https://www.microsoft.com/en-gb/trust-center/privacy ; https://privacy.microsoft.com/en-GB/privacystatement
Beyond Applications	Software Development	India	UK GDPR Compliant via use of Standard Contractual / Confidentiality Clauses in agreements with Us	Within Our commercial contract(s) with developer and/or their agents
Pivotal tracker	Task Ticketing system	US	UK GDPR Compliant Via use of Standard Contractual clauses & Binding Corporate Rules	https://www.vmware.com/help/privacy.html#privacy-notice

Some of your personal data may be processed in countries outside of the UK or the EEA. These are known as “third countries”. We will take additional steps in order to ensure that your personal data is treated just as safely and securely as it would be within the UK and under the Applicable Data Protection Law as follows:

- 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;
- whilst We are not required under Applicable Data Protection Law to appoint a Data Protection Officer, We have chosen to do so;
- We have several documented policies and processes detailing the organisational and technical measures used to protect personal data We control and/or process. These include:
 - Data Protection Policy
 - Data Processing Notice
 - Data & IT Security Policy
 - Cookie Notice
 - Data Breach Policy
 - Data Breach Record
 - Data Protection Impact Assessments
 - Data Retention Policy

These are all reviewed annually, or sooner, if Our business processes or the Applicable Data Protection Law should change.

9. Do You Share My Personal Data?

We may sometimes contract with third parties to supply products and services you order from Us.

A list of the Third-Party Suppliers We contract with can be found here www.elanconvey.co.uk/third-party-terms.

Some of Our software developers are based outside of the UK.

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.

If We sell, transfer, or merge parts of Our business or assets, your personal data may be transferred to a third party. Any new owner of Our business may continue to use your personal data in the same way(s) that We have used it, as specified in this Privacy Notice.

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.

10. How Can I Access My Personal Data?

If you want to know what personal data We hold 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 "data subject access request".

All subject access requests should be made in writing and sent to the email or postal addresses shown in section 11.

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 data subject access request within one month of receiving it and normally aim to provide you with 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.

11. How Do I Contact You?

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 for the attention of Adele Sagar:

Email address: support@elanconvey.co.uk.

Telephone number: 0113 543 0800.

Postal Address: 2 Saffron Court, Wombwell, Barnsley S73 0AP.

12. Changes to this Privacy Notice

This Privacy Notice will be reviewed annually, or sooner, if the Applicable Data Protection Law or Our business

processes should change in a way that affects personal data protection.

Should this notice change then any historic versions will be retained, and links included in subsequent notices for ease of reference.

ENDS