

This legitimate interests assessment (LIA) is for the information of any individual concerned or with interest of Mayhew Estates compliance with the GDPR law of legitimate interest. It has been developed in accordance with ICO [legitimate interests guidance](#).

## Part 1: Purpose test

- **Why do you want to process the data?**

Processing allows Mayhew Estates to provide the service requested from the client and deliver this service in the best possible way, providing market information and property details tailored to the client as requested by them through telephone, email and post with the individuals consent and always to their benefit. Assisting buyers and sellers, landlords and tenants during the course of a sale or let.

- **What benefit do you expect to get from the processing?**

Our clients will ultimately achieve their desired goal in a quicker timeframe in a more efficient way, whether that is buying or selling their property, e marketing, telephone and postal material will accelerate the process.

- **Do any third parties benefit from the processing?**

Conveyancing and financial services can be passed information however only in the instance that this is requested and consented by the client. No third parties shall be given any data without this consent or knowledge.

- **Are there any wider public benefits to the processing?**

Through processing information we act as an intermediary body assisting with the sale and purchase of property within the South of England and therefore contributing to the overall movement of the property market.

- **What would the impact be if you couldn't go ahead with the processing?**

Should Mayhew Estates be prohibited from processing this data we would be unable to conduct our business and service to our clients which would be detrimental to both parties.

- **Are you complying with any specific data protection rules that apply to your processing (eg profiling requirements, or e-privacy legislation)?**

Yes

- **Are you complying with other relevant laws?**

Current data protection laws predating 25<sup>th</sup> May 2018.

- **Are you complying with industry guidelines or codes of practice?**

Compliant under GDPR and 'Legitimate interests'.

- **Are there any other ethical issues with the processing?**

There are no ethical issues identified within this processing.

## Part 2: Necessity test

- **Will this processing actually help you achieve your purpose?**

As an Estate Agents we can only achieve our purpose whether through service, providing market information, finding buyers and marketing property for sellers through the processing of basic Data i.e name, telephone number and email address.

- **Is the processing proportionate to that purpose?**

The processing is proportionate to the purpose as the ultimate beneficiary is the client.

- **Can you achieve the same purpose without the processing?**

No, we would be unable to provide our service without basic contact information and therefore the data that we process.

- **Can you achieve the same purpose by processing less data, or by processing the data in another more obvious or less intrusive way?**

The data that we process as a company is basic and for contact purposes to a combined interest of ourselves and the client. We do not hold sensitive information i.e ethnic background, date of birth, sexual orientation.

## Part 3: Balancing test

### Nature of the personal data

- **Is it special category data or criminal offence data?**  
No
- **Is it data which people are likely to consider particularly 'private'?**  
Data processed is in relation to Name, address, email and telephone.
- **Are you processing children's data or data relating to other vulnerable people?**  
No
- **Is the data about people in their personal or professional capacity?**  
No

### Reasonable expectations

- **Do you have an existing relationship with the individual?**  
Yes, all individuals will have contacted us themselves and given the data required to fulfil that interest with consent.
- **What's the nature of the relationship and how have you used data in the past?**  
The relationship with our clients is providing information at the clients request with regards to selling a property or indeed finding a property to buy which provides benefit for all parties.
- **Did you collect the data directly from the individual? What did you tell them at the time?**  
Data is collected straight from the individual and they are always asked consent for continued contact.
- **If you obtained the data from a third party, what did they tell the individuals about reuse by third parties for other purposes and does this cover you?**  
We do not collect data on individuals from third parties.
- **How long ago did you collect the data? Are there any changes in technology or context since then that would affect expectations?**  
N/A

- **Is your intended purpose and method widely understood?**  
Yes, Mayhew Estates ensure that all clients are aware of our purpose and actively share information with ourselves.
- **Are you intending to do anything new or innovative?**  
No
- **Do you have any evidence about expectations – e.g from market research, focus groups or other forms of consultation?**  
N/A
- **Are there any other factors in the particular circumstances that mean they would or would not expect the processing?**  
No, all clients of Mayhew Estates are made aware of processing and given an option to unsubscribe at any time.

### **Likely impact**

- **What are the possible impacts of the processing on people?**  
By processing the data given the only impact can be that of the service the client requires.
- **Will individuals lose any control over the use of their personal data?**  
No, Clients are advised that they can unsubscribe any time they wish and have their details removed.
- **What is the likelihood and severity of any potential impact?**  
Minor, we do not pass on details to third parties without consent and even with this consent any third parties used are relevant to our business and benefit to our client.
- **Are some people likely to object to the processing or find it intrusive?**  
Clients are advised that they may unsubscribe from our marketing and database at any time and will therefore receive no further information.
- **Would you be happy to explain the processing to individuals?**  
Mayhew Estates would be more than happy to explain the data processing to the individual and all staff are enabled to do so with confidence.
- **Can you adopt any safeguards to minimise the impact?**  
All information held on individuals is password protected and available only to our business and that of the client.

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|---------------------------------------|-----|
|                                       |     |
| Can you offer individuals an opt-out? | Yes |

## Making the decision

This is where you use your answers to Parts 1, 2 and 3 to decide whether or not you can apply the legitimate interests basis.

|   |            |
|---|------------|
| Can you rely on legitimate interests for this processing?   | Yes        |
| Do you have any comments to justify your answer? (optional) |            |
| LIA completed by  |            |
| Date  | 15/05/2018 |

## What's next?

Keep a record of this LIA, and keep it under review.

Do a DPIA if necessary.

Include details of your purposes and lawful basis for processing in your privacy information, including an outline of your legitimate interests.