

## **PRIVACY POLICY**

### **Introduction**

Welcome to Landmark Optimus Limited ("**Landmark Optimus**") privacy policy.

Landmark Optimus 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 visit our website (www.optimus-move.co.uk) (regardless of where you visit it from), use our services or purchase products or services from us, complete an online form, subscribe to our newsletters or other communications or contact us for any other reason, and tells you about your privacy rights and how the law protects you.

This privacy policy is provided in a layered format so you can click through to the specific areas set out below.

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### **IMPORTANT INFORMATION**

This privacy policy aims to give you information on how Landmark Optimus collects and processes your personal data through your use of our website, including any data you may provide through our website when use our service, purchase products or services from us, fill in an online form or when you register to receive marketing information from us.

Our 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 privacy policy or fair processing policy 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.

We keep our privacy policy under regular review. This version was last updated on 2 November 2021.

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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.

Our 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.

Our products and services are generally intended for use by individuals who are buying or selling residential property and property professionals (including, for example but without limitation, estate agents, conveyancers, solicitors and surveyors) ("**property professionals**"). If you are a property professional (or you work on behalf of a property professional) using our products and services for and on behalf of your own customers (who may be individuals), you are responsible for how you use your customers' personal data and for providing them with information about how their personal data will be used. We are not responsible or liable for how property professionals use data relating to customers, nor are we liable for the services provided by property professionals.

## WHO WE ARE

Landmark Optimus is the controller and responsible for your personal data (collectively referred to as "**Landmark Optimus**", "**we**", "**us**" or "**our**" in this privacy policy). Our registered office is 5-7 Abbey Court, Eagle Way, Sowton Industrial Estate, Exeter, EX2 7HY.

Landmark Optimus is part of a corporate group of companies ("**our Group**"), which includes Landmark Information Group Limited (a company registered in England and Wales with registered company number 02892803) and DMGI Land and Property Europe Ltd (a company registered in England and Wales with registered company number 01163844).

If you have any questions about this privacy policy, including any requests to exercise your legal rights as set out in the 'YOUR LEGAL RIGHTS' section, please contact us using the contact details in the 'HOW TO CONTACT US AND COMPLAINTS' section.

## 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, username or similar identifier, marital status and title.
- **Contact Data** includes postal address, email address and telephone numbers.
- **Financial Data** includes bank account details and payment card details.
- **Transaction Data** includes details about your use of our services and other details of the products and services you purchase from our panel members when you are referred to the panel member via our service (including the names and addresses of properties which you have ordered products or services in respect of).

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- **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 our website.
- **Profile Data** includes your username and password, purchases or orders made by you with any of our panel members (when you are referred to the panel member via our service), your preferences, feedback and survey responses.
- **Usage Data** includes information about how you use our website and services.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.

We also collect, use and share aggregated data such as statistical or demographic data for any purpose ("**Aggregated Data**"). 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 or your customer's identity. For example, we may aggregate Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with personal data so that it can directly or indirectly identify you or any other individual, we treat the combined data as personal data which will be used in accordance with this privacy policy.

We may also collect, use and share data derived from use of our services that relate to a specific property ("**Property Data**"). Property Data is not considered personal data in law as this data will not directly or indirectly reveal the identity of an individual. However, if we combine or connect Property Data with personal data so that it can directly or indirectly identify any individual, 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 or your customers (this includes details about race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about 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 a contract we have with you, 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 products or services). In this case, we may have to cancel a product or service you have with us but we will notify you if this is the case at the time.

### 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 Financial Data by filling in online forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:
  - order our products or services;
  - create an account on our website;
  - request marketing to be sent to you;

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- complete a survey;
  - submit an enquiry, 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 and other similar technologies. We may also receive Technical Data about you if you visit other websites employing our cookies. Please see our [cookie policy](#) for further details.
- **Third parties or publicly available sources.** We will receive personal data about you from various third parties as set out below:
  - Identity and Contact Data from third parties who refer you to us.
  - Identity, Transaction, Profile and Property Data from our panel members when you enter into (or take steps before entering into) a direct contract with them.
  - Technical Data from analytics providers such as Google based outside the EU.
- **Information about other people that you provide us with.** Where you have provided personal data about another person and we need to process such personal data in order to provide our services to that person or people, by providing us with such information, you confirm that you have informed those third parties of our use of their information and that you have obtained their consent or are otherwise lawfully permitted to share their information with us.

## HOW WE USE YOUR PERSONAL DATA

We will only use your personal data when the law allows us to. The types of lawful basis for processing personal data that we rely on are:

- **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.
- **Comply with a legal or regulatory obligation** means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.
- **Consent** means agreement which must be freely given, specific, informed and be an unambiguous indication of your wishes by which you, by a statement or by a clear positive action, signify agreement to the processing of personal data relating to you.
- **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 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.

## Purposes for which we will use your personal data

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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.

<b>Purpose/Activity</b>	<b>Type of data</b>	<b>Lawful basis for processing including basis of legitimate interest</b>
To register you as a new customer	(a) Identity (b) Contact	(a) Performance of a contract with you  (b) Necessary for our legitimate interests (to recover debts due to us)
To calculate and pay fees owed to a third party who has referred you to us to provided services to you on our behalf (including panel members)	(a) Identity (b) Transaction	(a) Necessary for our legitimate interests (performance of a contract with a third party)
To process and deliver orders including:  (a) Manage payments, fees and charges  (b) Collect and recover money owed to us	(a) Identity (b) Contact (c) Financial (d) Transaction (e) Marketing and Communications	(a) Performance of a contract with you  (b) Necessary for our legitimate interests (to sell and deliver our products and services and recover debts due to us)
To manage our relationship with you which will include:  (a) Notifying you about changes to our terms or privacy policy  (b) Asking you to leave a review	(a) Identity (b) Contact (c) Profile (d) Marketing and Communications	(a) Performance of a contract 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 customers use our products/services)
To enable you to complete a survey	(a) Identity (b) Contact	Necessary for our legitimate interests (to study how customer use our products/services, to

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	(c) Profile (d) Usage (e) Marketing and Communications	develop them and grow our business)
To administer and protect our business and our 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 business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise)  (b) Necessary to comply with a legal obligation
To deliver relevant website content to you and measure or understand the effectiveness of our advertising	(a) Identity (b) Contact (c) Profile (d) Transaction (e) Usage (f) Marketing and Communications (g) Technical	Necessary for our legitimate interests (to study how customers use our products/services, to develop them, to grow our business and to inform our marketing strategy)
To improve the products and services we (and our Group) provide to customers.	(a) Transaction (b) Usage (c) Profile	Necessary for our legitimate interests (to study how customers use our products/services, to develop them, to grow our business and to inform our marketing strategy)
To use data analytics to improve our website, products/services, marketing, customer relationships and experiences	(a) Technical (b) Usage	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 products or services that may be of interest to you, including products and services	(a) Identity (b) Contact (c) Technical	Necessary for our legitimate interests (to develop our products/services and grow our business)

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offered by other members of our Group	(d) Transaction (e) Usage (f) Profile (g) Marketing and Communications	
To make suggestions and recommendations to you about products or services offered by third parties who we partner with that may be of interest to you	(a) Identity (b) Contact (c) Transaction (d) Profile (e) Marketing and Communications	Consent

### Marketing

#### *Promotional offers from us or our Group*

We may use your Identity, Contact, Technical, Transaction, Usage and Profile 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 products, services and offers may be relevant for you.

We will process your personal data to provide you with marketing communications about our products and services or those of our Group if you have requested information from us or purchased products or services from us (including from other companies within our Group), and, in each case, you have not opted out of receiving that marketing.

We may use external marketing agents to help us with such marketing communications. The legal basis on which we and/or our companies within our Group process personal data for marketing purposes is our respective legitimate interest to develop and market Group products and services and grow business, or, because you have provided your consent for us to contract you.

#### *Third party marketing*

We will get your express opt-in consent before we share your personal data with any third party for the purpose of third party marketing.

#### *Opting out*

You can ask us to stop sending you marketing communications at any time by contacting us (please see the 'CONTACT US AND COMPLAINTS' section) or, where relevant, by following the unsubscribe link in any marketing communication you receive from us. Where you opt out of receiving these marketing communications, this will not apply to personal data provided to us as a result of a product or service purchase or other transaction.

### Cookies

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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 our website may become inaccessible or not function properly. For more information about the cookies we use, please see [here](#).

### 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.

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.

## 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.

- **Internal Third Parties.** Your personal data may be shared with other companies within our Group (who are based in the United Kingdom).
- **External Third Parties**, including:
  - **Third parties who provide services to us** - such as service providers who provide IT and system administration services (such as hosting service providers, payment service providers, cloud based email and CRM system providers); professional advisors including lawyers, bankers, auditors and insurers based in the United Kingdom who provide consultancy, legal, banking, accounting and insurance services; marketing and public relations agencies; or HM Revenue & Customs, regulators or their authorities based in the United Kingdom who require reporting of processing in certain activities;
  - **Optimus panel members** - your personal data may be shared with our panel members to the extent it is necessary for them to provide a quote which you have requested in respect of their services. We will share your personal data with a panel member where they have provided a quote for services which has been accepted by you so that they can contact you regarding your instructions; and
  - **Optimus partners** - where you have provided your express opt-in consent, we may share your personal data with third parties with whom we have partnered. We will always contact you to give you information about the identity of specific partners and to obtain your consent to share your personal data with that partner before disclosing your personal data to them.
- **Third parties** to whom we may choose to sell, transfer or merge parts of our business or assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy policy.



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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.

### **INTERNATIONAL TRANSFERS**

We do not process your personal data in any country outside the UK and the European Union (EU).

However, certain third parties are based outside of the UK and the EU, so their processing of your personal data will involve a transfer of data outside the EU.

Whenever we transfer your personal data out of the EU, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission.
- Where we use certain service providers, we may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe.

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

### **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 employees, agents, contractors and other third parties who have a business 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.

### **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 purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. 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.

We will generally retain our customers' data for a period of 7 (seven) years after a contract has ended, to ensure that we are able to assist you should you have any questions or feedback in relation to our products or services or to protect, or to defend our legal rights, or

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for tax purposes.

Where personal data belonging to another person is provided to us by a customer (for example, a business customer) and that personal data is processed via our website, the individual in question should refer to the relevant customer's retention policy. The individual should also refer to the "YOUR LEGAL RIGHTS" section below, such rights apply to all data subjects. Subject to the individual exercising his/her rights with the relevant customer, we store the customer's data, which may include the individual's personal data, in accordance with the 'We will only retain your personal data for as long as necessary' **Error! Reference source not found.** section and the relevant customer's instructions.

We have processed your personal data to provide you with marketing communications with consent, we may contact you at least every 12 (twelve) months to ensure you are happy to continue receiving such communications. If you tell us that you no longer wish to receive such communications, your personal data will be removed from our marketing lists (but will be added to a "do not contact" list).

Where we have processed your data for any other reason (such as where you have contacted us with a question in connection with services or in relation to recruitment), we will retain your data for 12 (twelve) months.

In some circumstances, you can ask us to delete your data; please see "Your Legal Rights" for further information.

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.

## YOUR LEGAL RIGHTS

Under certain circumstances, you have rights under data protection laws in relation to your personal data. These rights are detailed below:

- **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.
- **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.
- **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.
- **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

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demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

- **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: (a) if you want us 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.
- **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.
- **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 directly (please see the CONTACT US AND COMPLAINTS' section).

- **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 may 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 may 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.

## CONTACT US AND COMPLAINTS

If you have any questions about this privacy policy, including any requests to exercise your

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legal rights please contact us using the details set out below.

Full name of legal entity: Landmark Optimus Limited

Email address: [seniorcomplianceofficer@landmark.co.uk](mailto:seniorcomplianceofficer@landmark.co.uk)

Postal address: 5-7 Abbey Court, Eagle Way, Sowton Industrial Estate, Exeter, EX2 7HY.

Telephone number: 0330 0366 800

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](http://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.