

## Privacy Notice

### Who we are

Lethen Estate (**We/us**) is a group of entities incorporating The Lethen Trust, S Brodie Woodlands and the Firm of EJ & M Brodie having its main place of business at Estate Office, Lethen, Nairn, IV12 5PR.

We do not have a Data Protection Officer. Any queries or requests by data subjects should be directed to our Data Protection Lead, Rob Hoskin at [office@lethenestate.com](mailto:office@lethenestate.com).

### Interpretation

In this document, the following definitions shall apply:

<b>Personal Data</b>	means any information relating to an identified or identifiable person
<b>Controller</b>	means a person or organisation which determines the purposes and means of the processing of Personal Data
<b>Processor</b>	means a person or organisation which processes Personal Data on behalf of a Controller
<b>Data Subject</b>	the person to whom Personal Data relate
<b>Special Categories of Personal Data</b>	Personal Data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

Guidance on the General Data Protection Regulation is available from the office of the Information Commissioner at <https://ico.org.uk/>.

References in this document to 'the Estate' are to Lethen Estate and the surrounding estate owned by us in Nairn, Scotland.

### Scope of this document

This Privacy Notice takes effect from July 2018. It is directed to all persons whose Personal Data we process other than our employees, workers and volunteers. It applies to Personal Data collected by whatever means. It sets out information about how we collect Personal Data, the categories of Personal Data we collect, the purpose for which we process Personal Data, the legal basis for this processing, our legitimate interests in processing, how we share Personal Data and the rights of Data Subjects whose Personal Data we process.

More detailed information may be made available to some Data Subjects during the process of collection of their Personal Data which adds to or prevails over the general information in this Privacy Notice.

### Updates to this document

This Privacy Notice may be updated from time to time. Please check this page for the latest version of our Privacy Notice each time you provide Personal Data to us.

### Our status

We are the Controller in relation to all Personal Data which we collect.

## How we collect Personal Data

We collect Personal Data in the following main ways:

- Using website cookies
- In emails and hard copy correspondence sent to us
- By taking notes during telephone calls
- In paper forms (such as application forms, contact forms, guest registration forms and event entry forms)
- From third parties, for example during pre-contract enquiries in connection with tenancy applications
- when taking payment from tenants by cheque or bank transfer
- By taking photographs, e.g. of people who fish or shoot on the Estate.

We use Google Analytics on our website. This means that Google automatically collects online identifiers when you use our website, together with additional information which may include browser type, device type, date and time of visit and keywords used to find our websites. Online identifiers are not made available to us by these third parties and we therefore do not undertake any processing of this data other than transferring it.

## Categories of Data Subject

We collect Personal Data in relation to the following main categories of Data Subject:

- Visitors to and other users of the Estate
- Users of our websites
- Guests in our accommodation
- Tenants, including farm tenants, cottage tenants, shooting tenants and fishing tenants
- Prospective and past purchasers of land owned by the Estate
- Members of the public who make enquiries

## Types of Personal Data we Process

We process the following main types of information which is or may constitute Personal Data:

- Name, title, date of birth, gender, vehicle registration (**Identity Data**)
- Address, email addresses and telephone number (**Contact Data**)
- Details of bookings and use of the Estate's services, records of sales and purchases of goods and services (**Supply Data**)
- Photographs, e.g. for use in our websites and marketing collateral, other than large crowd images which do not contain Personal Data (**Photographic Data**)
- Gun licence information, shooting insurance details (**Shooting Data**)
- Fishing records, biosecurity forms (**Fishing Data**)
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- Personal Data relating to the assessment of tenancy applications, including number of dependants, credit history, previous residential addresses, place of work, income and outgoings (**Tenancy Data**)
- Online identifiers and associated website analytical data transferred through Google Analytics (**Cookie Data**)

We do not currently process any Special Categories of Personal Data but should we be required to do so, we shall inform the individuals involved directly and update this Privacy Notice.

We do not process any Personal Data relating to children.

## **When the provision of Personal Data is a statutory requirement or a requirement necessary to enter into a contract**

It is a requirement before entering into a tenancy agreement with us to provide the information requested in our tenancy application form.

It is a requirement before entering into any contract with us to provide us with your name and address.

You must in some circumstances produce your original firearms licence and insurance details. More details will be provided at the time that you make a booking with us.

If you do not provide us with your Personal Data in the above circumstances, we will be unable to provide our services to you.

## **Purpose of processing**

We collect Personal Data for the following main purposes:

- To provide our goods and services
- To obtain supplies of goods and services
- To inform the public about the quality of fishing in the Findhorn river
- To process payments
- For credit control, record-keeping, accounting
- To keep our accounts and tax records, manage complaints, undertake credit control and other management and administrative purposes
- To comply with legal obligations generally, including under companies, taxation and data protection laws and where we are required to disclose data by a law enforcement agency
- For historical research purposes
- To defend against legal claims (including prospective legal claims)
- To detect and prevent fraud
- To protect the security of our property, our employees and visitors to the Estate
- To complete reorganisations and disposals of assets and undertakings
- To measure the effectiveness of websites

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 using the contact information at the end of this document.

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.

The purposes for which Google uses information collected at our websites are described in their privacy notices at the following link:

<https://policies.google.com/privacy/partners>

This data may be used for targeted online advertising. You can exercise your right not to receive this advertising at <http://www.youronlinechoices.com/uk/your-ad-choices>.

## **Lawful basis for processing**

We only process Personal Data where we have a lawful basis for doing so.

### *Personal Data other than Special Categories of Personal Data*

In some cases, we will be required to process your Personal Data in order to comply with a legal requirement (for example under companies legislation, taxation legislation and data protection laws. Where this applies, we rely upon compliance with a legal obligation as one of a legal bases for

processing your Personal Data. If it is necessary for us to process your Personal Data in order to comply with a contract between us, performance of the contract will be one of the legal bases for processing your Personal Data.

We may request your consent to certain forms of processing and where we do, consent is the legal basis for the processing covered by the consent.

Where we are not relying upon consent, we process your Personal Data on the basis of our legitimate interest (in addition to any other legal bases which are available to us). The nature of our legitimate interest in each case will depend upon the purpose of the processing, as follows:

- Provide our goods, services and events
- Obtaining supplies of goods and services
- Informing the public about the quality of fishing in the Findhorn river
- Processing payments
- Keeping our accounts and tax records, managing complaints, credit control and carrying out other management and administrative activities
- Preserving Estate records for historical research purposes
- Recording evidence which may be used to defend against legal claims (including prospective legal claims)
- The detection and prevention of fraud
- Protecting the security of our property, our employees and visitors to the Estate
- Completing reorganisations and disposals of assets and undertakings

*Special Categories of Personal Data*

We process Incident Data for the purpose of complying with social security law and on the basis of our legitimate interest in defending against legal claims and prospective legal claims.

**Retention periods**

We will never delete Personal Data before it is lawful for us to do so. Subject to this, we will store our Personal Data for the periods set out below:

Type of Personal Data	Retention period
Photographic Data	We will remove photographs from our website(s) which have been added on the basis of consent if consent is withdrawn
Supply Data and all associated Identity Data and Contact Data (but excluding Personal Data referred to as being stored for longer under other headings)	For the longest period required by law
Identity Data relating to tenants, , Tenancy Data, Fishing Data, Shooting Data, Identity Data and Contact Data contained in our accounting ledgers	Indefinitely (when other purposes cease to apply, this Personal Data will be held for historical research purposes)
Other Personal Data	Seven years or such earlier time as we may determine to be appropriate in individual cases

We do not undertake to hold records for the above periods and they may be deleted or destroyed sooner than indicated above where this is lawful.

**Transfers outside of the European Economic Area (EEA)**

Save as set out below, we do not transfer Personal Data outside of the EEA.

The use of Google Analytics may involve a transfer of Personal Data outwith the EEA. Google is part of the Privacy Shield Framework, which requires them to provide similar protection to Personal Data shared between the EEA and the US as it has in the EEA.

We may make other international transfers of Personal Data where this is in accordance with data protection laws.

### Recipients of Personal Data

We transfer or may transfer Personal Data:

Recipients	Categories of Personal Data affected
Service providers (acting as Processors) based in the United Kingdom who provide IT administration services. Such service providers include without limit providers of booking, ticketing and payment processing services.	All of the Personal Data we process
Service providers, sub-contractors and insurers where there is a business need for them to receive the Personal Data.	All of the Personal Data we process
Auditors and professional advisers (acting as Processors or Controllers), including lawyers, bankers and insurance companies who provide auditing or consultancy, banking, legal, insurance and accounting services.	All of the Personal Data we process
Successors in title to any assets or undertakings with which the Personal Data is associated (acting as Controllers).	All of the Personal Data we process
Public bodies, taxation authorities, courts, regulators or law enforcement agencies where this is required by law or in connection with the establishment, exercise or defence of legal claims (acting as Controllers).	All of the Personal Data we process
<ul style="list-style-type: none"> <li>The public</li> </ul>	<ul style="list-style-type: none"> <li>Photographic Data which may be published by us with the name of the Data Subject where consent has been provided</li> </ul>
<ul style="list-style-type: none"> <li>Other websites providing information about fishing rivers in Scotland</li> </ul>	<ul style="list-style-type: none"> <li>Fishing Data</li> </ul>

### Your legal rights

You have the right to:

**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 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.

**Complain to complain to the supervisory authority** in connection with our processing of your personal data. You can exercise this right by contacting the Office of the Information Commissioner at <https://ico.org.uk/>.

## **Cookies**

Cookies are small text files that are placed on your computer by websites that you visit.

Google uses the Google Analytics cookie to receive information from our website and elsewhere on the Internet and use that information to provide measurement services and target ads. Further information about how Google uses information collected through our website is available at the following link:

[How Google uses data when you use our partners' sites or apps](#)

Please see the following link: <https://policies.google.com/technologies/partner-sites?hl=en-GB&gl=uk>

The analytical information made available to us by Google is in aggregated and anonymised form.

You can prevent online identifiers from being stored on your device using your browser settings. You can access links to third parties working with website owners to provide targeted online advertising and exercise your choices at the following link: <http://www.youronlinechoices.com/uk/your-ad-choices>. <http://www.addthis.com/privacy/privacy-policy>

## **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.

Our websites may contain links to other websites of interest. However, once you have used one of these links to leave our website, you should note that we do not have any control over that other website. Therefore, we cannot be responsible for the protection and privacy of any information which you provide whilst visiting such sites and such sites are not governed by this Privacy Notice. You should exercise caution and look at the privacy notice applicable to the website in question.

### **Contact us**

If you have any questions about our processing of Personal Data or would like to exercise one of your legal rights, please contact the Rob Hoskin at Estate Office, Lethen, Nairn, IV12 5PR or by email to [office@lethenestate.com](mailto:office@lethenestate.com).