

## PRIVACY NOTICE TO CONTRACT-HOLDERS, RESIDENTS, OR GUARANTOR

**Data controller:** <<Insert name and address of the Landlord/Lettings Agent>>.

### 1. Introduction

<<Insert Landlord/Lettings Agent name>> is the “data controller”. This means that I/we are responsible for deciding how your personal information is held and used.

<<Insert Landlord/Lettings Agent name>>’s purposes of this Privacy Notice is to explain to you:

The Agent collects, stores and processes your personal data relating to contract-holders, residents and guarantors, in order to provide rental accommodation. This privacy notice explains how the Agent collects and uses your personal data in connection with your occupation contract.

This privacy notice sets out what personal data is to be collected, why it is collected, how it is held and with whom it is shared.

The Agent is committed to protecting the privacy and security of your personal data. The Agent is committed to providing you with information about how it collects and uses your personal data and to meeting its obligations.

### 2. Data protection principles

The Agent will comply with the data protection principles which means that the personal data held about you must be:

- used lawfully, fairly, and in a transparent manner;
- collected only for valid, explicit purposes and not used in any way incompatible with those purposes;
- relevant to the purposes for which they are collected and limited to those purposes only;
- accurate and kept up to date;
- kept only for such time as is necessary for the purposes you have been told about; and
- kept securely.

### 3. What information is to be collected?

The Agent collects and processes your personal data about you. Personal data means any information about you which the person can be identified. If you are already a contract-holder or guarantor, some of the points below may not be relevant to you. The following information may be collected, depending on whether you are a contract-holder or guarantor. This includes <<list or describe the information as necessary>>:

- Identity and personal details such as your name, title, address, email address, telephone number, national insurance number, car registration;

- Background information, accountant details,
- Bank account details
- Occupation contracts, other residents, and guarantors
- Deposit information
- Rent and utilities paid
- Recovery of arrears
- Repair and health and safety
- Breach of occupation contract
- Council Tax and utility bills
- Universal credit/housing benefit
- Notices and correspondence
- CCTV and audio recordings
- General correspondence and
- Data sent from websites

I/we may also collect, store and use sensitive personal data (known as 'special categories of personal data'):

- Information about race or ethnicity
- Information about whether you have a disability for the purposes of the Equality Act 2010
- Equal opportunities information, including information about your religion or belief.

This information is collected through the application of the Agent's occupation contract. The Agent also maintains records.

In some cases, the Agent may collect information about you from third parties, such as:

- references supplied by you
- information from credit reference agencies
- other contract-holders
- guarantors;
- local authorities;
- the police or other law enforcement agencies;
- Department for Work and Pensions;
- utility companies or
- letting/managing agencies
- websites or online records

Personal data is stored in the Agent's IT systems (including cloud storage).

#### 4. Why does the Agent process your personal data?

The Agent needs to process your personal data to manage occupation contracts and manage occupation contracts.

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landlord details, employer details, and emergency contacts; credit check results; joint contract-holders, other

on termination;

proceedings;

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ters, emails, text messages etc);

server (including pages visited and server).

iving special categories of more sensitive personal data"):

ons, including whether or not you have a disability for the purposes of the Equality Act 2010 to make adaptations; and including information about your religion or belief.

s. For example, personal data is collected through correspondence during the occupation contract. The Agent also maintains records such as rent payment

about you from third parties, such as:

employers, and personal referees;

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es, including in paper files and on

lications for occupation contracts

In addition, obligations, regulations deposit is pr

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## 5. Situations i

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## 6. If you fail to

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ication verification for anti-money laundering  
ormation with a deposit scheme by which any

egitimate interest in processing personal data  
e landlord/contract-holder relationship.

## information will be processed

processed in the situations below <<list below,

- proposed contract-holder/resident;
- a proposed contract-holder/resident;
- ing/suitability of a proposed contract-
- ders and residents who are linked to the
- ontract;
- d performance of contract-holder obligations;
- ments;
- ontract and the property;
- nance certificate;
- k or report on the condition of the property;
- ating to the Agent's rental business;
- enance of the property;
- rmance of contract-holder's obligations;
- n possession of a property;
- ilities charges are billed and paid appropriately;
- ts (such as Universal Credit and housing benefit)
- ntract-holder where appropriate;
- e return of any deposit;
- ity issues relating to contract-holders/residents;
- d CCTV recordings;
- lic or local authorities who are legally entitled to
- e relatives in case of emergency;
- alls, and other communications;
- ulatory requirements;
- ms;
- igate crime and anti-social behaviour;
- ct to deal with joint contract-holders and residents
- ion contract;
- ces provided by the Agent; and
- pdates in relation to the property market and
- nt's services in accordance with your express

- If you do not consent to the processing of your personal data when requested, the Agent may not be able to proceed with the proposed occupation contract.
7. **Change of purpose**
- Your personal data will only be used for the purposes for which it was collected unless it is shown that it is needed for an additional reason and that your consent has been obtained for that purpose(s). If your personal data is needed for a purpose other than those initially identified and an explanation of the legal basis which allows this to happen, you will be asked to provide your consent.
- You should be aware that your personal data may be processed without your knowledge or consent if it is required or permitted by law.
8. **Use of sensitive personal data**
- Some special categories of personal data, such as information about health or medical conditions, may be processed to comply with legal obligations (for example, in relation to persons with disabilities and for health and safety purposes).
9. **How long is your data held for?**
- Your personal data will be retained for as long as is necessary to fulfil the purposes for which it was collected, including any legal, accounting or reporting requirements. The period for which your data is held after the end of an occupation contract is determined by the period for which your data is held following an unsuccessful application for a contract. The period is <<one year>> (for a contract-holder).
10. **Who is informed about the use of your data?**
- [Your information may be shared internally, including with <<state e.g. other staff members>>]
- The Agent may share your personal data with third parties where required by law, where it is necessary in connection with the relationship with you or where there is another legitimate interest. The information can be shared with:
- Professional advisers including solicitors and accountants;
  - Freeholder or managing agent (for property in block of flats);
  - Existing or potential tenants;
  - Credit reference agencies;
  - Debt recovery services;
  - Local authorities and relevant government/public bodies;
  - Ombudsmen;
  - Professional associations;
  - Courts and tribunals;
  - Police and other law enforcement agencies;
  - Internal departments of the Agent;
  - Banks and building societies;
  - Contractors and other service providers;
  - Next of kin or close relatives in case of emergency.

- Joint tenants; or
- Guarantors; or
- Joint tenants and guarantors; or
- Dependent children; or
- Universities; or
- H.M. Prisons; or
- Courts; or
- Utility companies; or
- Future landlords; or
- Contractors providing services at the property; or
- Prospective tenants of the property; or
- Other persons to whom you apply to another landlord for an agency in England); and
- [Other persons to whom you apply to another landlord for an agency in England); and

[For contracts entered into on or after 1st June 2019, the Agent will share any personal data with the following persons:

[The Agent will transfer your personal data] **OR** [store and/or transfer some of your personal data within the UK.]

**OR**

[The Agent will transfer your personal data] **OR** [store and/or transfer some of your personal data within the European Economic Area (the "EEA"). Transfers of your personal data from the UK to the EEA are permitted without additional safeguards.]

**OR**

[The Agent will transfer your personal data in or to countries outside of the EEA, known as "third countries". Additional steps will be taken to ensure your personal data is treated as safely and securely as it would be within the EEA.]

in order to ensure your personal data is treated as safely and securely as it would be within the EEA. The Agent will implement appropriate measures of adequacy or other safeguards>>. If you require further information, please contact the Agent.

## 11. How is data protected?

The Agent takes your personal data seriously. Internal policies and controls have been implemented to prevent your personal data being lost, accidentally destroyed, misused or disclosed, and to ensure the integrity and confidentiality of your data. Details of these measures are available on request.

When the Agent engages third parties to process personal data on its behalf, they do so on the basis of a contract which requires them to observe the same standards, and so on the basis of a contract which requires them to observe the same standards, and to implement appropriate technical and organisational measures to ensure the security of your personal data.

## 12. Your duty to provide information

It is important that the data I/we hold about you is accurate and current. Please be sure to inform us if your personal data changes during the application process or the course of an occupation contract.

### 13. Your rights

As a data subject, you have a number of rights. You can:

- access your data on request (known as a “data subject access request”);
- request correction of incorrect or incomplete data;
- request deletion of your personal data. This enables you to ask the Agent to delete your data, for example where the data is no longer necessary for the purposes of processing;
- object to the processing of your data, if you believe your fundamental rights and freedoms override the Agent's legitimate interests; and
- ask for a temporary halt to the processing of your personal data for a period of time where there is a dispute about its accuracy or the reason for processing.

If you would like to exercise these rights, or you have any questions about the privacy notice, please contact the Agent by email at <[Agent's email address]> or by post to the Agent at <[Agent's name and address]> or by email to the Data Protection Commissioner at <[Data Protection Commissioner's email address]> or by post to the Data Protection Commissioner at <[Data Protection Commissioner's name and address]>.

If you believe that your data protection rights have not been complied with, you have the right to complain to the Information Commissioner's Office.

**I acknowledge that I have read and understood the Privacy Notice to Contract-holder, Resident or Guarantor and agree to the terms and conditions of the same.**

Name.....

Signature.....

Date.....