

Privacy notice

Notice date: 25 May 2018

1 Important information

This privacy notice is given by Dwelling Estates Ltd (referred to here as 'we'/'us'/'our').

We respect your privacy and are committed to protecting your **personal data**. Personal data 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**).

This privacy notice will tell you how we look after your personal data and tell you about your privacy rights and how the law protects you.

Our details are:

Name: Dwelling Estates Ltd

Registered number: 07561902

Registered office: 497A High Road, Ilford, Essex, IG1 1TZ

Email: info@dwellingestates.co.uk

We are the **data controller** of your personal data. This means that We decide when, why and how to **process** your personal data and We are responsible for looking after it and protecting your rights. In this privacy notice, We use the word process to cover all the different ways in which We handle your personal data, such as collection, use, storage and transfer.

2 What is the purpose of this privacy notice?

We are required under the General Data Protection Regulation ((EU) 2016/679) (**GDPR**) to give you this privacy notice. We must be open with you about why your personal data is collected and then what is done with it. We must act fairly in relation to this personal data. You have various legal rights relating to your personal data which are described in this notice.

This privacy notice tells you what personal data we process about you, whether you are initially applying to us for a tenancy or if you become a tenant, other occupier or guarantor. It explains what information we collect, why we collect it, and what we do with it, as well as who we share it with. In summary, we process personal data about our tenants and occupiers and prospective tenants and occupiers, along with any guarantors to enable us to provide premises for occupation. This includes dealing with applications for tenancies, checking the suitability of tenants and other occupiers, along with any guarantors (including, as applicable, credit, immigration and similar referencing checks), arranging lettings, property management (including dealing with repairs), rent collection, dealing with any complaints, maintaining our accounts and records, tenancy terminations and administering deposits.

Where this notice is given to more than one person it is given to each of you separately.

If you are already a tenant, occupier or guarantor some of the items in this notice may not be relevant to you. Different information will apply depending on whether you are a tenant, occupier or guarantor.

References to a tenant in this notice also include a guarantor if there is one. This is because a guarantor underwrites a tenant's obligations so references to your tenancy include your guarantee. If there is no guarantor, please disregard any reference in this notice to guarantor or guarantee.

It is important that you read this privacy notice, as well as any other privacy notice we may give you on specific occasions when we are processing personal data about you, so you know how and why we are using your personal data.

3 Data protection principles

We will comply with data protection law and principles. This says that the personal data we process about you must be:

- Used lawfully, fairly and in a transparent way.

- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept securely.

4 The kinds of data we may hold about you

We may, in accordance with data protection law and principles and as applicable, process the following categories of personal data about you:

- Identity and contact details including car registration.
- Personal/background information including occupation/status.
- Bank details.
- Verification and credit status.
- Deposit (if any) including return on tenancy termination.
- Tenancy details including renewals, joint tenants, other occupiers and guarantors.
- Identity verification (including, where required, immigration/right to rent checks).
- Rent and other payments.
- Recovery of arrears, claims or possession proceedings.
- Repairs/health and safety/housing conditions.
- Breach of tenancy terms/nuisance/anti-social behaviour.
- Liability for property taxes.
- Water charges payable.
- Utilities and services provided.
- Welfare benefits.
- Termination of tenancy.
- Audio and CCTV recordings (if any).
- Complaints.
- Insurance.
- Emails, texts and other communications.
- Website and online portal information.

A description of the types of information within each of these categories is set out in **Table 1** (see **section 6** below).

In cases where you rent a residential property where a child resides, personal data may be given to us about resident children; usually by an adult such as a parent on their behalf. Under the GDPR, children require specific protection with regard to their personal data as they may be less aware of the risks, consequences and safeguards concerned and their rights in relation to the processing of personal data. Therefore, we limit the personal data that we process about children to that which is necessary so that we can comply with our legal obligations. In particular, where applicable, we need to check on the age of any residents to see whether or not an immigration/right to rent check must be carried out. We do not, under any circumstances, market to children, profile them, make automated decisions about them or offer them online services.

We may also process information about your health, including any medical condition or disability, which is a **special category** of more sensitive personal data (see **section 9** below).

5 How is your personal data collected?

Naturally, we collect personal data about you from you.

We also collect and receive data about you from third parties. This may be information given to us by other tenants or occupiers or neighbours. It can include information from a guarantor where there is a guarantor for your tenancy or from a joint tenant. Public bodies such as local authorities or the police, or other law enforcement agencies may give us information about you. This can include the Department for Work and Pensions or the local authority where you are receiving benefits. Information may be given to us relevant to property taxes by the local authority. Utility companies or service providers may also give us personal information about you. Where the property is let or managed on our behalf by an agent the agent will supply us with information about you. We obtain information about you when we carry out credit checks or take

up references. We may also receive information from you via websites or from online rental portals such as Openrent, Gumtree or Rightmove. Any information which we receive in this way is set out in **Table 2** (see **section 11** below) which gives you more details about information which we can receive from third parties.

6 How we will use personal data about you

We will only use your personal data when the law allows us to. Most commonly, we will use the categories of data in the list above (see **section 4**) in the following circumstances:

- Where we it is necessary to perform the tenancy contract.
- Where we need to comply with a legal obligation.
- 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.

Consent may be requested in certain cases, e.g. to obtain a reference but generally we do not rely on your consent to process your personal data.

In very limited circumstances, we may use your personal data where this is in your vital interests, e.g. if there is a life-threatening situation.

The purposes for which we may process your personal data are listed in summary form immediately below and then in detail in Table 1:

- In our legitimate interests for deciding on the suitability of a proposed tenant/occupier/guarantor.
- In our legitimate interests for verifying the credit worthiness/suitability of tenants/guarantors.
- Our legal obligation, where applicable, to check immigration status/right to rent. This is also to verify identities.
- To perform the tenancy contract, to deal with joint tenants and occupiers who are linked to the tenancy.
- To perform the tenancy contract, to complete the tenancy agreement.
- In our legitimate interests to secure rent payments/performance of tenant obligations, e.g. deposits and guarantors.
- For contractual performance for rent collection and collection of other payments including banking details.
- For contractual performance for managing the tenancy and the property.
- For contractual performance and/or in our legitimate interests for record keeping.
- For contractual performance for arranging repairs and maintaining the condition of the property and keeping it in a safe condition.
- For contractual performance for monitoring and enforcement of tenant responsibilities.
- For contractual performance or in our legitimate interests for recovering debts and other payments due, including any possession proceedings.
- In our legitimate interests for administering liability for property taxes.
- Our legal obligation (in the Welsh Water area, if applicable) or otherwise in our legitimate interests and those of the water company for the payment of water charges.
- In our legitimate interests and those of the provider relating to arranging and paying for utilities and services.
- In our legitimate interests for dealing with welfare benefits (including Universal Credit and housing benefit) where payable in respect of the rent.
- In our legitimate interests in relation to tenancy termination including the return of any deposit.
- In our legitimate interests for processing complaints.
- For contractual performance or in our legitimate interests for dealing with health and disability issues relating to tenants/occupiers.
- In our legitimate interests for obtaining and holding audio and CCTV recordings.
- To perform our legal obligations to provide information to public or local authorities who are legally entitled to require this information.
- In your vital interests for contacting next of kin etc., in an emergency.
- In our legitimate interests for the storage of emails, records of calls and other communications.
- In accordance with our legal obligations if you exercise your rights under data protection law.
- To perform our legal obligations for compliance with legal and regulatory requirements.

- In our legitimate interests for the establishment and defence of legal rights.
- In our legitimate interests for prevention, detection and investigation of crime and anti-social behaviour and the security of any website or other means of electronic communication.

Table 1 below describes, for each category of data, what our processing activities are, what the legal justification is permitting these activities and the purposes for which we carry out these processing activities. Where the legal justification is our own legitimate interests (or those of a third party) we identify the relevant legitimate interests.

TABLE 1

Category of data	Type of information within category	Legal ground for processing and (where applicable) nature of legitimate interest
Identity and contact details	This includes name, contact details, date of birth and national insurance number. Where the tenant is not an individual, this also includes name and contact details of relevant individuals within the tenant organisation.	We handle this information in order to enter into the tenancy agreement and subsequently to manage the tenancy and the property. This is done to perform the contract.
Personal and background information	This includes details of your present address and your current landlord (if any), current occupation and status (employed, student etc.), employer or educational institution, state benefits received, details of other occupiers, any bankruptcy or county court judgments, next of kin etc., pets and any photographs of yourself.	<p>This information is handled to evaluate your suitability as a tenant. This is done for our own legitimate interests. These are to ensure that any let is to reliable tenants and occupiers with suitable guarantors where applicable.</p> <p>We also handle this information which relates to next of kin etc., to contact them in the event of an emergency. This is to protect your vital interests.</p> <p>This information will also be handled if we need to trace you to contact you in connection with the tenancy or the property or to pursue a claim against you, e.g. for rent arrears. This is in our own legitimate interests. These are to enforce your obligations, deal with property left behind at the property or to recover property.</p>

<p>Bank details</p>	<p>This includes details of your bank, building society or other paying organisation, including those operating digitally/online.</p>	<p>We handle this information in order to receive payments from you or on occasion to make payments to you. This is done to perform the contract.</p> <p>We also handle this information if we seek to make recovery from you of unpaid debt. This is in our own legitimate interests. These are to recover what is due to us.</p> <p>We also handle this information as part of our verification of your suitability as a tenant, including to protect against money laundering. This is in our own legitimate interests to ensure that we let to suitable tenants/occupiers and do not receive proceeds of crime.</p>
<p>Tenancy details</p>	<p>This includes renewals of the tenancy. Information within this category includes the address of the property, start date for the tenancy, period of occupancy, rent and other payments.</p>	<p>We handle this information to prepare and complete the tenancy agreement and then to manage the tenancy and the property. This is done to perform the contract.</p> <p>Tenancies are renewed by agreement. This will involve a request from you. We handle information about the renewal of tenancies. This is done for contractual performance.</p> <p>Where you are a joint tenant or there are other occupiers, we collect details of any other joint tenant or occupier that's linked with the tenancy/property. We handle this information to prepare and complete the tenancy agreement and thereafter to manage the tenancy and the property. This is done so that we can form, and then perform, a contract.</p> <p>Where there is a guarantee, we collect information about the identity and contact details of the guarantor, background information about the guarantor and details of property owned. This is then linked to the tenancy and the property. We handle this information to protect our own legitimate interests. This is to provide security for the payment of the rent and to ensure compliance with tenancy obligations.</p>

<p>Deposits (if any)</p>	<p>This includes the amount of a deposit, who pays it and in what shares and the steps taken to protect the deposit.</p>	<p>We handle this information to deal with the deposit received and to administer the deposit. This includes handling information about persons who contribute towards the deposit who are not a tenant. This is done both for contractual performance and, where applicable, to ensure compliance with legal obligations relating to handling deposits under deposit protection legislation. This is to secure payment of the rent and compliance with tenancy obligations.</p> <p>We also handle deposits at tenancy termination and this is dealt with under that section.</p>
<p>Identity verification and (where applicable) immigration/right to rent checks</p>	<p>We check identification documents as part of our process to verify your identity at the outset of the tenancy.</p> <p>In addition, we are required in certain circumstances to check your immigration status before we let a property to you. This means that you are legally obliged to produce certain documentation (e.g. a passport or driving licence and other specified documentation) to us and we must take and keep copies of it (for inspection if required by the Home Office). This applies to prospective tenants and all adult occupiers.</p>	<p>We handle this information in order to verify the identity of tenants and occupiers, along with guarantors, in order to protect our legitimate interests. These are to ensure that we are dealing with the correct person.</p> <p>We also handle this information, where required, in accordance with the requirements of immigration legislation in order to carry out our legal obligations.</p>
<p>Rent and payment collection</p>	<p>This includes records we compile to record receipt of rent and other payments from you and associated documentation relating to such payments. This also includes any documentation where we need to issue reminders for payment, including levying charges for interest or fees for late payment.</p>	<p>We keep this information in order to compile correct and up to date records. This is done for contract performance</p>

<p>Recovery of arrears, claims and possession proceedings</p>	<p>In the event of non-payment of rent or other payments due, or if there is non-performance of the contract (including allegations against us) then we record this and enter into relevant communications. This includes information and documentation related to any proceedings which may be commenced or brought against us in relation to these matters, including proceedings to recover possession of the property.</p>	<p>We handle this information in order to pursue recovery of what is owing to us and to enforce our rights, to defend claims, and to recover possession of the property. This is done in our own legitimate interests. These are to protect our property interests, to enforce our rights and to ensure payment due to us is made, as well as to defend any claims brought against us.</p>
<p>Repairs/housing standards/health and safety</p>	<p>This includes condition surveys, inspection reports, reports of repairs required and information about actions taken. This extends to conditions and standards generally at the property including health and safety, e.g. gas safety.</p>	<p>We handle this information to ensure that the property is properly maintained. This is done both for the purposes of contractual performance and, where applicable, to comply with our legal obligations.</p>
<p>Breach of tenancy agreement/nuisance</p>	<p>This includes complaints which we receive or information which we hold relating to alleged breaches by a tenant or other occupier (which could include a child) including nuisance and anti-social behaviour. This includes records and related communications. This includes complaints about these matters made by neighbours or other tenants or occupiers.</p>	<p>We handle this information so as to ensure that tenancy obligations are complied with and that tenants and other occupiers co-exist harmoniously with neighbours. This is to protect our own legitimate interests and the legitimate interests of affected third parties. These legitimate interests are ensuring the tenancy obligations are complied with as well as the prevention and detection of crime and anti-social behaviour.</p> <p>We also handle this information under a legal obligation where licensing conditions apply to the property.</p>

<p>Property taxes</p>	<p>Notification is given to the local authority in relation to tenant/occupier liability for property taxes (e.g. council tax or business rates). This can include information about the period of occupancy as well as former and subsequent addresses.</p>	<p>We handle this information in order to ensure that the liability for property taxes is dealt with correctly. If in response to a statutory notice from the local authority, this is done to comply with our legal obligations; otherwise, it is done to protect our own legitimate interests and those of the local authority. These are for the correct billing and collection of property taxes and to ensure that we do not have to meet liability for property taxes ourselves where this is not appropriate.</p> <p>Where appropriate the tenant may be entitled to a reduction in, or to relief from, a property tax. Information is handled relevant to claims made by tenants for this purpose. This is in the interests of the local authority administering the scheme to see that benefits are properly calculated and paid.</p>
<p>Water charge payments</p>	<p>This relates to notification to a water company of the tenants/occupier who are at the property and their periods of occupancy and it can include previous and subsequent addresses. It also relates to communications between ourselves and the water company concerned.</p>	<p>In some areas this information is handled pursuant to a legal obligation; otherwise, we handle this information to establish liability for water charges in our own legitimate interests and those of the water company concerned. This is to ensure that legal liability for payment of water charges is correctly established and discharged.</p>

<p>Utilities and other service providers</p>	<p>Where we arrange and establish liability for payment of gas and electricity consumed at the property and any services which are provided, e.g. broadband or cable TV. It includes communications about changes of tenants, interruptions and disconnection of supply and work to be carried out in connection with utilities and services such as the installation of smart meters/replacement meters.</p>	<p>We handle this information in order to arrange provision of utilities and services and ensure that the correct liability for relevant charges is established and that these are paid for. This is done in our own legitimate interests and those of the utility company/provider concerned. These are to ensure utilities and services are provided and that liabilities are paid.</p> <p>We also handle this information in order to deal with breakdowns, interruptions and disconnections and to ensure that the appropriate quality of service is provided. This is done in our own legitimate interests. These are to ensure that requisite utilities and services are available and are provided at the property.</p>
<p>Universal Credit/Housing Benefit (and council tax reductions)/Local Housing Allowances</p>	<p>Where eligible a tenant will be entitled to the appropriate welfare benefits to assist them to make rent payments. Information may be required by the Department for Work and Pensions (DWP) or local authority to verify entitlement. Normally, payment of benefit is made direct to the tenant; however, if the tenant is vulnerable or there are arrears, payment of benefit can be made direct to us.</p>	<p>We handle tenancy details and rent payment records, including information about arrears, and the tenant's personal circumstances, relevant to the processing of claims and the administration of benefits. This is done for contractual performance. It is also carried out in our own legitimate interests to secure payments due to us.</p> <p>We handle information relevant to applications for benefit and in particular applications for direct payment to ourselves including reasons for non-payment of rent payments. This is for contractual performance.</p> <p>Occasionally, where direct payment has been made to us, there may be claims by the benefit authority for recovery of overpayments. We handle information relevant to such claims. This is done for our own legitimate interests. These are to ensure that we can collect and retain rent payments due to us.</p>

<p>Tenancy termination</p>	<p>A tenancy may end, the tenant may leave early or we may serve notice requiring the tenant to vacate and, if necessary, enforce this by court possession proceedings.</p>	<p>Tenancy terminations of whatever kind also involve the return of any deposit paid, possible claims against guarantors, claims on insurance, arrangements for tenants/occupiers to vacate the property, or tenants'/occupiers' property being left behind. They also give rise to issues around the state and condition in which the property has been left.</p> <p>We handle information relevant to these matters. This is done in our own legitimate interests. These are to ensure that the property is returned to us in a proper state with vacant possession and that all appropriate financial claims by either party against the other are correctly dealt with. These include our obligations in relation to the refund of deposits, to comply with contractual obligations between us and any tenancy deposit scheme with which the deposit is protected.</p>
<p>Complaints</p>	<p>Although we will do all we can, unfortunately things go wrong sometimes, so complaints may arise.</p>	<p>Information handled concerns complaints which you may make or which may be made on your behalf. These will give rise to communications and records being compiled by us. We handle complaints with a view to resolving them.</p> <p>We handle complaints for contract performance. This is also done in our own legitimate interests. These are to protect ourselves against claims and to ensure that complaints are properly resolved.</p>

<p>Health/disability</p>	<p>We may be given information about your health (whether mental or physical) or disabilities.</p>	<p>This is a special category of personal data; additional legal requirements are imposed upon us. See also section 9 below.</p> <p>Health information may be given to us to explain your absence from the property or as a reason why rent payments have not been made. You may wish us to have information about your health so that we are aware of how you may need assistance on occasion. This could also be information about health or disabilities affecting someone else which impacts on you.</p> <p>We may be given information about your disabilities so that we can make particular arrangements for you, including any adaptations which may be required to make under disability discrimination legislation.</p> <p>We handle information about your health or disability, and the health of others depending upon the circumstances to assist us in the management of the tenancy and the property. This may be to protect your vital interests. It may alternatively be for contractual performance where it affects your ability to perform your contractual obligations under the tenancy agreement. It will also be in our own legitimate interests if we are told of any medical condition which affects you. This is so we are aware of possible impacts on you.</p> <p>We may also be under a legal obligation to handle information about any disability where we are obliged by law to make provision to deal with it.</p>
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<p>CCTV and Audio</p>	<p>We may operate CCTV to cover common parts or the exterior of the property.</p> <p>We may also hold audio recordings, e.g. voicemail messages.</p>	<p>Where CCTV is operated, this is for the safety and security of the property in question and for the prevention and detection of crime and anti-social behaviour, as well as monitoring tenancy obligations. This is done in our own legitimate interests. These include the protection of our property and ensuring compliance with tenancy obligations as well as the safety and security of tenants, occupiers and neighbours.</p> <p>We handle audio recordings to assist with accurate record keeping. This is done for contract performance or in our own legitimate interests. These are to ensure that we have reliable records of communications.</p>
<p>Correspondence</p>	<p>Correspondence includes all ways in which we receive communications from whatever source. This includes emails, text messages, social messaging and messages, letters and documentation. This can also include photographs and other visual recordings.</p>	<p>We handle these communications initially relating to entering into the tenancy agreement and then for the management of the tenancy and the property, as well as associated matters arising under the various categories of information referred to in this Table 1. This is done for contractual performance where applicable, to carry out any applicable legal obligations imposed on us, to protect your vital interests, or in our legitimate interests. These legitimate interests are to ensure that we have the necessary information relating to these matters and for accurate record keeping.</p>

<p>Websites and online platforms</p>	<p>Information about you is available in the public domain, often put there by you. This can be accessed by appropriate searches which allow for access to the websites which hold this information.</p> <p>Information about you is also made available when you access online platforms, e.g. to enquire about properties which are available.</p>	<p>We handle this information to assess your suitability for tenancies/occupation and for the management of the tenancy and the property. This is in our own legitimate interests to ensure that tenants/occupiers are suitable and that the tenancy and the property are effectively managed. This can include ensuring that tenancy obligations are performed. These legitimate interests are also to ensure that our property interests are protected and our rights are enforced.</p> <p>We handle information received via online platforms for contract performance, including arranging lettings and entering into tenancy agreements.</p>
<p>Insurance</p>	<p>We may insure against various risks.</p>	<p>We handle information about you which may be relevant to our insurances to arrange cover, to administer insurance contracts, to renew insurances and to make claims. Contractually, we are under certain duties, e.g. to disclose information to the insurers. We handle this information to protect our own legitimate interests. These are to ensure that appropriate risks are adequately insured against and to recover any sums due to us under the policy as a result of claims.</p>
<p>Estate management</p>	<p>Where we do not have a freehold interest in the property, it will be held by us under a lease or subject to other contractual arrangements. The lease or other arrangements place contractual obligations on us which in turn may be passed on to you under the terms of the tenancy.</p>	<p>We handle information about you in order to carry out our responsibilities under this lease/these arrangements. This is done in our own legitimate interests and in the interests of the freeholder (and any other superior landlord) to ensure that respective obligations are properly performed.</p>

<p>Car registration</p>	<p>We may hold records of car registrations for vehicles which you keep at or in the vicinity of the property.</p>	<p>We handle this information to manage the property for contract performance.</p> <p>We also handle this information in our own legitimate interests and those of others such as neighbours in order to monitor and regulate parking. This is to protect our own property interests and rights and those of others such as neighbours who may be affected by parking issues.</p>
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Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal data.

7 If you fail to provide personal data

If, when you apply for a tenancy, you fail to provide information when requested, which is necessary for us to consider your application, we will not be able to take your application further.

If, once a tenancy agreement has been made, you fail to provide certain information when requested, we may not be able to perform the contract. You may also be in breach of the tenancy agreement if it requires you to provide this information.

8 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 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.

9 How we use particularly sensitive personal data

Special categories of particularly sensitive personal data require higher levels of protection. We need to have further justification for processing this type of personal data. We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data. We may process special categories of personal data in the following circumstances:

- With your explicit written consent.
- Where it is needed in the public interest, such as for equal opportunities monitoring.

Less commonly, we may process this type of data where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

As indicated in **section 6** above, in limited situations we will process information about your health or any disability.

We would expect to ask you for your explicit consent before we process this kind of data. If we do so, we will provide you with full details of the data that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that you do not have to agree to any request for consent from us.

10 Automated decision-making

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. We are allowed to use automated decision-making in the following circumstances:

- Where we have notified you of the decision and given you 21 days to request a reconsideration.
- Where it is necessary to perform the contract with you and appropriate measures are in place to safeguard your rights.
- In limited circumstances, with your explicit written consent and where appropriate measures are in place to safeguard your rights.

If we make an automated decision on the basis of any particularly sensitive personal information, we must have either your explicit written consent or it must be justified in the public interest, and we must also put in place appropriate measures to safeguard your rights.

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making, unless we have a lawful basis for doing so and we have notified you.

We do not envisage that any decisions will be taken about you using automated means, however we will notify you in writing if this position changes.

11 Data sharing

We will share information we hold with others, where this is necessary. This involves us either transferring your information to others or collecting it from them, depending upon the circumstances. When we do this, we must comply with data protection legislation. Information can be shared with other landlords including where you apply to another landlord for a tenancy; PayProp – Automated Rental Payment System; contractors/suppliers; utilities and service providers; tradespeople; financial organisations (including banks and insurance companies); debt collection and tracing agents; public and government bodies (including those who administer benefits, such as the DWP or the local authority); courts; police and law enforcement agencies; taxation authorities; local authorities in relation to property taxes and regulatory functions; letting and managing agents; and any future owner of the property. We may need to share information with your next of kin, e.g. in an emergency. We may also share information with professional advisers such as lawyers and accountants or an advice agency which involves sharing information about you with them. If we do not have a freehold interest in the property, we give information to the freeholder, any other superior landlord, a managing agent and so on for the property or any estate of which the property forms part. Where applicable, we also send notifications to and have correspondence with any tenancy deposit scheme protecting any tenancy deposit which has been paid. In some cases, we may be under a legal obligation to provide information either because of the law or because of a binding contractual obligation.

Where you have a tenancy jointly with someone else or there is a guarantor for your tenancy, as necessary, we will share information either with the joint tenant or the guarantor (or both).

We will only share your personal data with **third parties** where permitted by law for the purposes indicated in Table 1 above and in **Table 3** below.

A third party includes any third-party service provider (including contractors and designated agents) and other entities within our group.

Table 2 below indicates the categories of data we may share and with whom.

TABLE 2

Category of data	Data may be shared with
Identity and contact details	Shared with all persons, organisations/authorities referred to in this table.
Personal and background information	Other landlords/employers; debt collectors/tracing agents; next of kin; insurers; banks.

Bank details	Our bank, credit reference agency; debt collectors/tracing agents.
Tenancy details	Other landlords/employers, benefit authority, taxation authority.
Deposits (if any)	Tenancy deposit body; debt collectors/tracing agents; taxation authority.
Identity verification and (where applicable) immigration/right to rent checks	Home Office; credit reference agency (for verification of identity).
Rent and payment collection	Bank; benefits authority; taxation authority; joint tenants/guarantor; insurers; other landlords.
Recovery of arrears, claims and possession proceedings	Debt collectors/tracing agents; other landlords; taxation authority; joint tenants/occupiers; guarantors; insurers.
Repairs/housing standards/health and safety	Contractors; tradespeople; deposit protection body; joint tenants/occupiers; estate owners, managers, etc.; guarantors.
Breach of tenancy agreement/nuisance	Contractors; tradespeople; deposit protection body; joint tenants/occupiers; estate owners, managers, etc.; guarantors; educational institution; neighbours, other occupiers; insurers.
Property taxes	Local authority.
Water charge payments	Water companies.
Utilities and other service providers	Utility suppliers and service providers.
Universal Credit/Housing Benefit (and council tax reductions)/Local Housing Allowances	Benefit authority (DWP or local authority); regulatory authority; joint tenants/occupiers/guarantors.
Tenancy termination	Other landlords; educational institutions; debt collectors/tracing agent; taxation authority; deposit protection body; bank; joint tenant/occupiers/guarantors; estate owners, managers, etc.
CCTV and Audio	Deposit body; joint tenants/occupier; guarantor, next of kin.
Correspondence	May be shared with any of the people or organisations listed in this table, depending on the category of data that it pertains to.
Websites and online platforms	Joint tenants/occupiers; guarantors.
Insurance	Insurers; banks.
Estate management	Estate owners, managers, etc.

Table 3 describes why we share your personal data with the persons/organisations/public authorities listed in Table 2 and identifies the legal justification for this.

TABLE 3

Data shared with	Purpose and legal justification
Private persons and organisations:	
Other landlords/employers	To obtain references. This is to ensure suitability for a tenancy in our legitimate interests. We also provide information to prospective landlords in their legitimate interest to assist them in evaluating suitability for a tenancy/occupation. These interests are to ensure that properties are let to reliable tenants/occupiers. Where the property is subject to certain types of licensing scheme there may be a legal obligation for new landlords to obtain references before they let.
Contractors/tradespeople/service suppliers	Assisting in carrying out our responsibilities under the tenancy agreement and for the management of the tenancy and the property for contractual performance. In certain cases, this is also to comply with our legal obligations in relation to housing conditions and health and safety, e.g. gas, electrical and fire alarm maintenance and inspection. We will also provide your contact details to contractors to facilitate access to the property for contract performance. On occasion we will arrange for inspections in our legitimate interests. This is so that we can deal with complaints and pursue/defend claims.
Utility companies and service providers	Arranging for utilities/services and establishing liability for payment along with administering their supply in our own legitimate interests and those of the provider. This is to ensure utilities/services are provided and that liability is correctly established. Utility companies also have certain statutory obligations to perform, e.g. metering. In the case of utilities or other service providers if we agree to provide any relevant utility or services as part of the tenancy agreement then these arrangements are made for contractual performance. Otherwise, they are in the legitimate interests of the utilities/service providers to ensure that they can effectively carry out their various activities.
Credit reference agencies	We request and consider credit and other referencing relating to deciding on the suitability of tenants and occupiers for a tenancy. This may be done through, e.g., a landlord association which undertakes this service on behalf of its members. This is in our own legitimate interest to ensure that we let to reliable tenants/occupiers.
Debt collectors/tracing agents	To trace you or make a claim in our own legitimate interests. These are to enforce our legal rights.

Joint tenants/occupiers	Management of the tenancy and the property for contractual performance. Additionally, in our own legitimate interests and those of joint tenants/occupiers where there are arrears of rent payments or other payments due or breaches of the terms of the tenancy agreement as they are either jointly liable for performance or non-performance could adversely impact on their continued occupation at the property. The legitimate interests are to protect our own property interests and to enforce our rights.
Guarantors	Management of the tenancy and the property for contractual performance. We also inform guarantors of claims and liabilities for contractual performance of the guarantee. It is in our own legitimate interests and those of the guarantor to give and receive information relating to non-performance of tenancy obligations including non- payment of rent payments and other payments. Our interests are to protect our property interests and to enforce our rights and the guarantor's interests are so that the guarantor is aware of possible liability under the guarantee.
Next of kin	To make contact with them in the event of an emergency to protect your vital interests.
Insurers	To arrange relevant insurance and to make claims. This is in our legitimate interests and the insurers' legitimate interests. These are making sure that appropriate insurance is arranged and the policies are correctly administered. Under the terms of policies, we are required contractually to provide information to insurers.
Banks and lenders	Where we have loans, information regarding tenancies must be provided to arrange and administer them. This is in our own legitimate interests to finance our business. Contractually, they are entitled to your information. In the case of banks, information about you can be shared for the purposes of administering rent and other payments for contractual performance. Your information can also be shared for the purposes of preventing and detecting money laundering and fraud. This is in our own legitimate interests and those of the bank in order to detect crime. Contractually, we may be required to provide information regarding insurance cover to banks and lenders providing us with loans. This is in our legitimate interests to ensure compliance with the loan conditions and in the interests of the bank or lender to see that appropriate insurance cover is in place.

Neighbours, other tenants and occupiers

The management of the tenancy and the property. This includes information relating to complaints including alleged breaches of the tenancy agreement and anti-social behaviour, as well as the abandonment of the property. It can include car registration information. This is in our own legitimate interests to protect our property rights and to enforce compliance with the terms of the tenancy. It is also in the legitimate interests of neighbours for their enjoyment of their own properties and to protect their property, interests and rights.

Estate owners, managers, etc.

The management of the tenancy and the property. Under leases/other contractual arrangements they are entitled to certain information, e.g. who occupies the property and the terms of such occupation. Further, consents/permissions may be required relating to the tenancy for the carrying out of alterations or works or your information may be relevant to repairs. This is done in our own legitimate interests. These are to ensure we comply with our own contractual obligations. Additionally, there may be complaints involving breach of the terms of these leases/other contractual provisions connected with nuisance, non-compliance with leases/other arrangements or anti-social behaviour. Consequent upon this, information may be shared in our own legitimate interests or those of the estate owner or manager concerned. This is to ensure compliance with our own contractual legal obligations and/or for the management of the property or of the estate of which it forms part.

Web sites, portals

Undertaking searches and obtaining publically available information relevant to your suitability for a tenancy/occupation and relating to the management of the tenancy and the property. In connection with an application for a tenancy, we may receive information via any online portal involved for contractual performance.

Public authorities:

Home Office

Immigration/right to rent checks for the performance of our legal obligations

Benefit authority

The administration of benefits such as Universal Credit (by the DWP) and the housing benefit/local housing allowance by the local authority. This includes applications to them for direct payment of benefit to ourselves. It extends to claims by them for overpayment where we receive direct payments. This is for contractual performance and/or in our legitimate interests to ensure that we collect rent payments and that amounts properly due to us are received.

Deposit body	Where required, deposits paid must be protected under a deposit protection scheme with a deposit body. In this case, the deposit must be registered with the deposit body concerned. This is to comply with our legal obligations. It may also be necessary to give details of any changes to the deposit body to comply with our legal obligations. On the termination, for contractual performance, we must arrange for the return of the deposit in whole or in part depending on whether there are any claims on it or not by us. In the event of disputes, these can be submitted to adjudication in which case it is necessary for information to be provided to the deposit body concerned (and its adjudicator) in our legitimate interests to pursue or defend claims. This is also contractually required under the rules of the scheme.
Educational institutions	Information relating to non- payment of rent payments, breach of tenancy terms, nuisance or anti-social behaviour may be shared with educational institutions where you are studying. Educational institutions can operate complaints schemes in connection with student properties. This can include information about terminations. This is in our own legitimate interests to protect our property interests and our rights and in the interests of the educational institution concerned to oversee the conduct of their students.
Taxation authorities	These are HM Revenue and Customs and (in the case of property taxes and related reduction/relief schemes) local authorities, as well as any other public authority having power to levy taxes or charges. We are required by law to make appropriate returns to comply with legislation imposing taxes. In the case of property taxes, this is required where statutory notice to that effect is served on us. Otherwise, we share information with the local authority relating to property taxes in our own legitimate interests to ensure that property taxes are correctly administered and in the legitimate interests of the local authority to collect information for the same reason.

We will share your personal data with the following named third parties of the types referred to in Table 2 and Table 3:

We may share **all** your personal data (whatever its category) with the following:

- Professional advisers: Assistance and advice regarding the management of the tenancy and the property for contractual performance. Where we process your personal data on the basis of another legal justification and a professional adviser assists or advises, this processing will be for the same purpose and on the basis of the same legal justification. If it is in the legitimate interests of ourselves or someone else then those interests will be the same. These are to ensure that we act appropriately and properly as well as according to the law.
- Police/law enforcement agencies: Prevention/detection of crime and anti-social behaviour in our and their legitimate interests. This is to protect our property and enforce our rights and to enforce the law.
- Regulatory authorities: To carry out their functions in their legitimate interests. These are to enforce legal requirements. Occasionally, we may be under a legal obligation to provide your information, particularly if a notice to that effect is served on us. This can include an ombudsman or accreditation

or similar scheme of which we are a member. It also includes water companies and utility providers who are exercising their functions as statutory undertakers.

- Letting and managing agents: To let or manage the property in our and their legitimate interests. These are so that the tenancy and the property are effectively let and managed. Contractually, we may be required to provide your information to any letting/managing agent we instruct.
- Courts: The administration of justice in our legitimate interests. These are to pursue and defend claims.
- Other entities in our group: We will share your personal data with other entities in our group as part of our regular reporting activities on company performance, for system maintenance support and hosting of data.
- Prospective purchaser of the property: In the event of a proposed sale/sale of the property either subject to the tenancy or with vacant possession any prospective purchaser/purchaser will require information about the tenancy and the property. This is in our own legitimate interests and their legitimate interests. This is part of the conveyancing and sales process for both parties. The legitimate interests are to ensure that correct information is provided and received.
- Prospective purchaser of our business: We may share your personal data with third parties, for example in the context of the possible sale or restructuring of our business. In this situation we will, so far as possible, share anonymised data with the other parties before the transaction completes. Once the transaction is completed, we will share your personal data with the other parties if and to the extent required under the terms of the transaction.

All third-party service providers processing your personal data for us are required to take appropriate security measures to protect your personal data in line with our policies. They are only permitted to process your personal data for specified purposes and in accordance with our instructions.

12 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 data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

13 Data retention

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. We will retain your personal data for a period of 6 months if the tenancy application does not go ahead or is unsuccessful. If a tenancy agreement is entered into, we will, broadly speaking, hold personal data about you for the duration of the tenancy and for 7 years after it has ended. This is the statutory limitation period of 6 years plus a further year to allow for service of proceedings should proceedings commence later. We are also required to retain information for up to 6 years for tax purposes. 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 requirements.

In some circumstances we may anonymise your personal data so that it can no longer be associated with you, in which case we may use such data without further notice to you.

14 Your duty to inform us of changes

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 working relationship with us.

15 Your rights in connection with personal data

Under certain circumstances, by law 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.
- Request erasure of your personal data. This enables you to ask us to delete or remove personal information 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 exercised your right to object to processing (see below).
- 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. You also have the right to object where we are processing your personal data for direct marketing purposes.
- Request the restriction of processing of your personal data. This enables you to ask us to suspend the processing of personal data about you, for example if you want us to establish its accuracy or the reason for processing it.
- Request the transfer of your personal data to another party.

If you want to review, verify, correct or request erasure of your personal data, object to the processing of your personal data, or request that we transfer a copy of your personal data to another party, 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 for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

We may need to request specific information from you to help us confirm your identity and ensure your right to access the data (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal data is not disclosed to any person who has no right to receive it.

16 Right to withdraw consent

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal data for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact us. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

17 Changes to this privacy notice

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal data.

18 Contacting us

If you have any questions about this privacy notice or how we handle your personal data; if you would like any more information or you have any comments about this privacy notice; or if you would like to make any request to exercise your legal rights, please contact us (with the reference 'Data Protection') at Dwelling Estates Ltd, 497A High Road, Ilford, Essex, IG1 1TZ; or email us at info@dwellingestates.co.uk.

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). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us first.

I acknowledge that I have received a copy of this Privacy notice and that I have read and understood it.

Signature: _____ Date: _____

Name: _____