

TENANTS PRIVACY NOTICE

Introduction

Beresfords is committed to protecting the privacy and security of your personal information. We take care to protect the privacy of our prospective tenants, tenants and those that reside with them and former tenants through the application process. This information is required to process and maintain your tenancy with Beresfords as described in this privacy notice.

We have therefore developed this privacy policy to inform you of the data we collect, what we do with your information, what we do to keep it secure as well as the rights and choices you have over your personal information.

Throughout this document we refer to Data Protection Legislation which means the Data Protection Act 2018 which incorporates the General Data Protection Regulation (GDPR), the Privacy and Electronic Communications (EC Directive) Regulations 2003 and any legislation implemented in connection with the General Data Protection Regulation which is the governing legislation that regulates data protection across the EEA. This includes any replacement legislation coming into effect from time to time.

Our Data Protection Officer is;

The DPO Centre Ltd
50 Liverpool Street
London, EC2M 7PY

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1. Purpose of this document

Beresfords is a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. You are being sent a copy of this privacy notice because you are applying for a tenancy with us. It makes you aware of how and why your personal data will be used, namely for the purposes of the tenancy application process, and how long it will usually be retained for. It provides you with certain information that must be provided under the General Data Protection Regulation ((EU) 2016/679) (GDPR).

In general, we use your personal information to comply with the law, carry out our obligations to you and to ensure you are and remain a suitable tenant able to fulfil your obligations to us.

What personal information is being collected

In connection with your application, we will collect, store, and use the following categories of personal information about you:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses
- Date of birth
- Gender.
- Marital status, number and age of children and dependants.
- Next of kin, Guarantor and emergency contact information.
- Financial details such as bank account details, financial history, credit history, County Court Judgements (CCJs)
- Employment details such as Salary, National Insurance number, workplace location and employer reference
- Immigration details such as passport, visa or other proof of right to reside in the UK
- Previous tenancy details and landlord reference
- Educational details if you are a student and student card
- CCTV footage obtained through electronic means when on our premises.

We may also collect, store and use the following types of more sensitive personal information:

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions.
- Information about your health, including any medical condition, health and sickness records.
- Information about criminal convictions and offences.

2. How we gather personal information

We gather personal information:

- directly from you, for example when you call to book a viewing or apply to let a property
- by observing how you use our products and services, for example from the transactions and operation of your accounts and services from other organisations such as credit reference and fraud prevention agencies
- **from other people who know you including joint account holders, guarantors and people you are linked to financially**
- **We also may gather personal information from monitoring or recording calls and if we use CCTV. We may record or monitor phone calls with you for regulatory purposes, for training and to ensure and improve quality of service delivery, to ensure safety of our staff and customers, and to resolve queries or issues. We may also use CCTV on our premises to ensure the safety and security of our staff and customers.**

3. How we use information about you and our legal basis

The law requires that we provide you with information about the legal basis on which we process your personal data, and for what purposes.

In general terms, we will use the personal information we collect about you to:

- Assess your suitability and deciding about your application.
- Carry out background and reference checks, where applicable.
- Communicate with you about the tenancy process
- Determine the terms on which you rent from us.
- Check the Right to Rent – this is a legal obligation as it is a legal requirement to collect this information in order to check that a prospective tenant is legally entitled to reside in the United Kingdom.
- Receive your rent and deposit.
- Safeguard your deposit with the Tenancy Deposit Scheme (TDS) – this is a legal obligation as it is a legal requirement to collect this information and insert it into the prescribed information to be signed by the tenant(s). Please refer to their privacy policy for more information <https://www.tenancydepositscheme.com/privacy-policy.html>
- Administer the contract we have entered into with you.
- Business management and planning, including accounting and auditing.
- Make decisions about your continuing as a tenant when your tenancy expires.
- Make arrangements for the termination of your tenancy.
- Deal with legal disputes involving you, including accidents at your rented premises.
- Comply with health and safety obligations.
- Prevent fraud.
- Conduct data analytics studies to review and better understand tenancy retention and attrition rates.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

- 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.
- You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.
- Special protection is given to certain kinds of personal information that is particularly sensitive. This includes information about your health status, political views, religious or similar beliefs, racial or ethnic origin, sex life or sexual orientation, genetic or biometric identifiers, trade union membership or criminal convictions or allegations. We will only use this kind of personal information where:
 - we have a legal obligation to do so
 - it is necessary for us to do so to protect your vital interests
 - it is in the substantial public interest
 - it is necessary for the prevention or detection of crime
 - it is necessary for insurance purposes
 - you have given us explicit consent to use the information

4. If you fail to provide personal information

If you fail to provide information when requested, which is necessary for us to consider your application, we will not be able to process your application successfully. For example, if we require a credit check or references for this tenancy and you fail to provide us with relevant details, we will not be able to take your application further.

5. Sharing your Information

We may share limited personal data with our contractors who are carrying out services on our behalf including but not restricted to:

- to carry out emergency, responsive or planned property repairs
- to provide a language translation service if it is necessary to translate any information into or from a foreign language for you
- to carry out research, survey and segmentation on our behalf to help us to improve the services we offer to you, and
- with our professional and legal advisors for the purposes of taking advice.
- Our contractors are required to comply with the law and our own Data Processing Agreement or Data Processing Clauses within our contracts to ensure data is managed appropriately and for specified purposes.
- We may need to share personal information with local authorities, government departments and agencies, with our regulator and auditors, with utility companies or with other organisations and agencies where we are legally allowed to do so.
- We may be required to share personal information with statutory or regulatory authorities and organisations to comply with statutory obligations.
- In the event that we do share personal information with external third parties, we will only share such personal information strictly required for the specific purposes and take reasonable steps to ensure that recipients shall only process the disclosed personal information in accordance with those purposes.
- All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

6. Data Security

- We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need-to-know. They will only process your personal information 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.
- Your personal information is stored on our paper and IT filing systems which may be copied for testing, backup, archiving and disaster recovery purposes. Access to your information is limited to those who require it to provide services to you. All data is held within the UK.
- If any of your personal information is transferred out with the European Union or the European Economic Area by any of our contractors we will ensure that there are adequate safeguards in place to protect your personal information in accordance with the General Data Protection Regulations and applicable UK Data Protection Legislation.

7. Data Retention

The personal information that you provide will be retained by us in accordance with applicable laws and our internal Retention Policy. We will only hold your personal information on our systems for as long as is necessary and will destroy or de-identify personal information we hold after its retention period. You can request a copy of our Retention Policy by contacting us at:

Data Privacy Manager

Beresfords Commercial Limited, 10 Springfield Lyons Approach, Chelmsford, Essex, CM2 5LB

data@beresfords.co.uk

Your Rights

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. 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 information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information 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 information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact our Data Privacy Manager in writing.

If you have any questions about this privacy notice or how we handle your personal information, please contact the DPO.

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.

Information Commissioner - <https://ico.org.uk/>

Telephone helpline - 0303 123 1113

Email - casework@ico.org.uk