

## Privacy Notice: Tenants

We provide individuals with privacy information at the time we collect their personal data from them.

If we obtain personal data from a source other than the individual it relates to, we provide them with privacy information within a reasonable period of obtaining the personal data and no later than one month.

If we plan to communicate with the individual, we provide this at the latest, when the first communication takes place. If we plan to disclose the data to someone else, we provide this information at the latest, when the data is disclosed.

**Date Created:**

**Last Reviewed:**

### Privacy Notice

Humphrey and Brand Residential LLP (the "Data Controller") cares about the individuals we work with, whether our suppliers, or our business contacts at other organisations. We only collect and use information in line with the General Data Protection Regulation, the Data Protection Act and any other applicable laws and regulations.

This Privacy Notice is to inform you about our processing activities and applies only to our tenants – those who occupy a property we manage or who have signed a tenancy agreement with one of our clients.

### What categories of Personal Data do we process?

We process the following kinds of information in relation to the Data Subjects above:

- Full name and contact details
- Employment details
- National Insurance number
- Bank details
- Nationality
- Documents that prove your identity
- Credit referencing information (if you go forward to apply for a tenancy)
- Copies of agreements
- Copies of your ID and right to reside documents
- General correspondence
- Invoice amounts and payments
- Statements of account
- Invoices
- Notes about your relationship with us
- Notes relating to our management of the property you occupy
- Photographs of the property you occupy

### Why do we process this information?

We will use the types of personal information specified above in the following circumstances:

1. Where we need to perform the contract we have entered into with you.
2. To comply with our legal obligations.
3. 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.

### Situations in which we will use your personal information

We primarily use your personal information because it is necessary for administering our contracted services, to enable us to perform our role as a property manager, or to administer agreements between you and your landlord. When our processing is not necessary to fulfil our contract with you it is on basis of legitimate interests in administering our client accounts, and for complying with our contractual obligations to a third party. Situations where we may process your data for these purposes include:

- Processing rent payments to landlords
- Arranging and administering our relationship with you
- Arranging and administering contractors to perform work at properties
- Arranging for the signing of contracts between tenants and landlords
- Maintaining records that proper pre-tenancy checks were made
- Keeping records to support our financial reporting obligations
- Maintaining financial records for our own planning and business management

Some of the information above must be processed to demonstrate that we have complied with anti-money laundering, immigration and financial law, including your nationality and copies of your identification – and we will not use this information for any other purpose than complying with our legal obligations.

In the course of our contract with you, we may take or commission photographs of the interior of your property to market it to potential buyers or tenants. These photographs will be displayed in public formats and you understand that it is your responsibility to make any adjustments to your home to hide any aspects you do not wish to be displayed in public. If your property is occupied by anyone other than yourself, please make an appropriate effort to inform them that photographs must be taken so they have the opportunity to take any action they require in the property in the interests of privacy.

We may also draw upon any of the information we hold about you in the event of a legal claim.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information. We keep a record of our processing activities and can provide more information about our purposes and legal bases on request.

We will only use your personal information 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 information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

We do not generally conduct direct marketing to tenants, but if this ever changes we will notify you before using your information for such purposes.

#### **Are you under any obligation to provide the Personal Data?**

Where we process Personal Data to comply with our legal obligations, Data Subjects must provide this information.

Where Personal Data is processed because of a contractual necessity, failure to provide information may affect our ability to provide the services contracted for. We will always try our best to accommodate individuals who do not wish to provide certain other kinds of data they wish to keep private.

Where data is processed on the basis of legitimate interest you may have the ability to withhold certain kinds of data without affecting your relationship with us.

#### **Where did we collect this data from?**

Most of the information we hold about you is collected from you personally, but we may also obtain Personal Data from other sources. In the course of your application for tenancy we will have conducted credit checks by acquiring information about you from our credit referencing agencies. We may have also sought other references including from your employer or previous landlord. We retain this information for our records to demonstrate that such checks were made.

Where applicants wish to go forward with a tenancy we will conduct credit checks by acquiring information about you from our credit referencing agencies. We may also seek other references including from your employer or previous landlord.

We may separately collect other data about you under the terms of another Privacy Notice, such as if you use our website or you are already a tenant in one of our managed properties.

#### **Are you under any obligation to provide the Personal Data?**

Where we process Personal Data to comply with our legal obligations Data Subjects must provide this information.

If you fail to provide certain information when requested we may be prevented from complying with our legal obligations. Where information is necessary for the performance of a contract, failure to provide the information may affect our ability to perform the contract with you.

Some of the information we hold about tenants is necessary for our legitimate interest in administering services on behalf our clients. Failure to provide this information may affect our ability to administer these services.

### **Who do we share this information with?**

We may share your personal information with some third-party organisations who process data on our strict instructions (Data Processors). Our processors provide the following kinds of services:

- IT administration and support
- Cloud-based customer relationship management software
- Outsourced legal advice
- Data protection consultancy

We take steps to ensure our Processors maintain GDPR-compliant processes and put in place an adequate level of security to keep your data safe. We do not allow our third-party service providers to use your personal data for any other purpose. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

We may share some of your information with the [IDS](#) to process payments under the deposit protection scheme.

We may share your referencing information with our clients so they can make a decision about renewing your tenancy agreement.

We may also share your contact information and details of the property you occupy with our contractors for the purpose of arranging maintenance and repair work.

We may share your personal information with other third parties as we are required, including for reporting to governmental bodies or any court in the United Kingdom, and if we ever engage in the sale, administration or restructuring of the business.

We do not use any external marketing list compilers or transfer any of our customer data to any third party marketing company.

We do not transfer any personal data outside the EU, but if this ever changes we will provide you with a new Privacy Notice detailing the change.

### **Will the information be used for automated decision making or profiling?**

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 in writing.

### **How long do we keep this information?**

We retain Personal Data in compliance with our Retention Policy and Schedule 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. For example, any information we collect to administer the terms of a tenancy agreement will be held for the duration of the tenancy, plus a further seven to handle any legal claims within the statutory timeframe under the Limitations Act 1980.

Our Retention Policy and Schedule are available from our Privacy Portal, [here: <provide web link>\].](#)

### **How do we keep this information secure?**

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. Access to our systems is limited

so only those employees who require access to certain kinds of data subjects may do so. Our team operates under a strict Data Security Policy to ensure their day to day practices reflect best practice in secure and safe processing with the utmost respect for data subjects.

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.

### **What rights do you have?**

Data Subjects are entitled to request that we erase, restrict, rectify or provide you with a copy of the data we hold, and may object to processing activities.

It is our policy to fulfil any such request within the statutory period of one month unless there is a compelling legal or contractual obligation which prevents us from doing so.

To make any such request please contact our officer responsible for data protection, whose contact details are Laura Humphrey, Partner, [laura@humphreyandbrand.co.uk](mailto:laura@humphreyandbrand.co.uk)

You also have the right to lodge a complaint with the UK's data regulator, the Information Commissioner's Office. Visit [www.ico.org](http://www.ico.org) for more information.

### **Our contact information**

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