

Privacy Policy – Kimberley’s Independent Estate Agents

We are committed to protecting and respecting your privacy. This privacy policy sets out how Kimberley's processes, stores and controls any personal and behavioural data we collect from or about you or which you provide to us when you contact us or engage with us via our website or other media. Please read this carefully to understand why data is being collected and what we do with that data.

Kimberley's may change this policy from time to time by updating this page. You should check this page from time to time to ensure that you are happy with any changes. This policy is effective from 25th May 2018.

The policy:

Policy key definitions:

- "I", "our", "us", or "we" refer to the business, Kimberley’s Independent Estate Agents, (Kimberley’s)
- "you", "the user" refer to the person(s) using this website.
- GDPR means General Data Protection Act.
- PECR means Privacy & Electronic Communications Regulation.
- ICO means Information Commissioner's Office.
- Cookies mean small files stored on a user’s computer or device.

This privacy policy notice is for the website; www.kimberleys.co.uk and served by Kimberley’s Independent Estate Agents, 29/29a Killigrew Street, Falmouth, TR11 3PN and governs the privacy of those who use it. The purpose of this policy is to explain to you how we control, process, handle and protect your personal information while browsing or using this website, including your rights under current laws and regulations. By engaging our services or by visiting our Website you are accepting and consenting to the practices described in this Policy.

- This can be done in a variety of different ways which can include but are not exclusively limited to:-
- in person via our branch office network,
- by telephone,
- by post,
- by SMS,
- by email,
- social media such as Facebook and Twitter,
- via our Website,
- via third party websites
- via property portals such as www.rightmove.co.uk, www.zoopla.co.uk, www.primelocation.com
- These are collectively known as our "Communication Channels".

Data Controller

For the purpose of the General Data Protection Regulations the data controller is Stephen A Kimberley trading as Kimberley’s Independent Estate Agents whose registered office is 29/29a Killigrew Street, Falmouth, Cornwall TR11 2PN

Under the GDPR (General Data Protection Regulation) we control and / or process any personal information about you electronically using the following lawful bases.

- We are registered with the ICO under the Data Protection Register, our registration number is: Z6687232.

Basis for gathering information

The legal grounds under data protection legislation for processing your personal data are as follows:

Research Purposes	This is using your data to help us develop, monitor and market our products and services.
Market Research	This refers to surveys which we carry out by inviting you as a named individual to participate both to assist our campaigning objectives and in relation to developing monitoring and promoting our products and services. Specific consent is not required for this type of processing, although you have an automatic right to opt out.
Direct Electronic Marketing	This marketing, including by email, or text to you as a named individual, where this is unsolicited. It does not apply where you ask us about a particular product or service or to carry out market research.
Performance of the Contract	This is where it is necessary to collect and use the information to enable us to perform any contract which we have with you. It includes things done at your request prior to the contract being entered into.
Legal Obligation	This is where there is a legal obligation which we have to perform and we need the information to enable us to do so other # (other than under a contract).
Legitimate Interests	The law allows us to collect and use information where it is necessary to further either our own legitimate interests or those of a third party. These can include our commercial interests, our campaigning activities, marketing, market research and surveys, or the broader interests of society at large. It includes using information in ways which you would reasonably expect which will have a minimal impact on your privacy. Alternatively, there may be a case where there is a compelling justification for processing information. Where we rely on legitimate interests we have to consider and protect your rights and interests. In the Table below where we rely on legitimate interests we explain what these are.
Consent	This is where we require your consent and, if it is not forthcoming, we cannot use the data for the specified purpose without it. In particular, we need consent where direct electronic marketing by third parties by email or telephone directly to you is involved.

- We monitor and keep records of your calls, emails, text messages, social media messages and other communications as part of your dealings with us. Telephone calls may be recorded. This is done either to enable us to perform our contractual obligations, because of a legal obligation, or to pursue our legitimate interests so that we have a record of these to administer your relationship with us. This is also done to check the security of our communications, monitor our products and services and content as well as our marketing activities. It is also done for quality control and staff training purposes. We also check for inappropriate or illegal content.

- We have a legitimate interest to ensure that content from our site is presented, in our opinion, in the most effective manner for you and for your computer.
- To meet our obligations arising from any contracts to which you are a party, or to take steps prior to entering into a contract with you, for us to provide you with our products and services
- Special Category Personal Data described below. You do not need to provide us with marketing consent in order to receive our services You have given us explicit consent to the processing of your personal data for one or more specific purposes, namely 1) where you have given us consent to receive electronic marketing by us and/or 2) to process your
- If it is needed in the public interest or for official purposes

Why we collect data and the legal basis for processing your personal data

We must tell you why we collect and hold information about you.

We must also have a legal basis before we are allowed to collect or process your personal data. Processing personal data includes recording, storing, altering, using, sharing or deleting data. We only need one of these “gateways” and for our purposes they are –

- You consent. 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.
- To perform our contract so that we can carry out our responsibilities under the tenancy agreement with you, including anything you request us to do with a view to you becoming a tenant (or resident).
- Compliance by us with a statutory or other legal obligation.
- Where this is in your vital interests, e.g. if there is a life-threatening situation.
- Where we are pursuing our own legitimate interests or those of a third party. This will not apply if our interests are overridden by your interests or your fundamental rights and freedoms. We must carry out a balancing exercise therefore to decide whether we can rely on this gateway to ensure that it applies. In each case we have done this and we do not consider your interests, rights or freedoms outweigh our own or those of the third party concerned.

This notice identifies the relevant gateway applicable in each case. In some cases, we will rely on more than one gateway depending on the particular purpose for which we are using your data.

Additionally, any data must be processed by us fairly and openly.

What we collect

We may collect the following personal information: (“Personal information” is any information that relates to you and identifies you personally, either alone or in combination with other information available to us).

- name and job title, contact details including car registration
- Current position (looking to sell, buy, rent, cash buyer etc)
- contact information you provide filling in forms on our website, third party websites and Portals which send information to us, in person or via telephone calls, emails and social media, this information can include, but is not limited to, personal information (name, address, email address and telephone number); financial or employment information that you disclose when agreeing to register as an applicant or enter into a transactional relationship with us.
- Information required to help us ensure our staff are safe when attending external appointments such as viewings and market appraisals; for example, contact details for the client or customer, including a residential address in the UK.
- Information relating to your identity where we are required by the law to collect this to comply with Money Laundering Regulations 2017 and the Immigration Act
- Your bank details where required for setting up payment of rents and credit reference purposes.
- Information regarding any **special category data** such as disability, health details or access requirements to enable us to find suitable accommodation.
- Deposit (if any) including return on tenancy termination
- Tenancy details including renewals, joint tenants, other residents and guarantors
- 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
- Council tax liability
- Water charges payable
- Utilities and services provided
- Welfare Benefits
- Termination of tenancy
- Audio and CCTV recordings (if any)
- Complaints
- Insurance
- Usage information about your visits to our website (Please read [How we use Cookies](#)) this may include, but not limited to, Uniform Resource Locator, click through including dates and time, products viewed or searched for, response times, time spent on different pages, all this information enables the website to remember information about you and your preferences in order to provide you with a better viewing experience.
- If it has not been disabled by you we may collect information about your computer including where available your IP address, operating system and browser type. This is statistical data about our users' browsing actions and patterns.
- Demographic information such as address, postcode, preferences and interests where we may wish to send you marketing information about similar products and services
- If you contact us we may keep a record of that correspondence, email, text message or telephone call

We also generate and use data internally, e.g. our rent records

We may ask you to complete surveys that we use for research purposes, although you do not have to respond to them.

Where we need to collect personal data by law (for example to meet our obligations to prevent fraud and money laundering, right to rent checks) or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you. In this case we may have to cancel a product or service you have with us, but we will notify you if this is the case at the time.

We also collect and receive data about you from third parties. This may be information given to us by other tenants or residents or neighbours. It can include information from a guarantor where there is a guarantor for your tenancy or from a joint tenant or other residents. 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 Universal Credit or housing benefit. Information may be given to us relevant to Council Tax 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 Rightmove or Zoopla. Any information which we receive in this way is set out in the Table to this privacy notice which gives you more details about information which we can receive from third parties.

You consent to any information concerning you which we collect and process being used, stored and processed in accordance with this Policy.

What we do with the information we gather

We require this information for our legitimate interests to understand your needs and provide you with a better service, and in particular for the following reasons:

- To comply with our statutory and regulatory obligations, including verifying identity, prevention of fraud and money laundering and to assess your credit worthiness.
- Being able to communicate with you, for example with being able to deal with any enquiries or requests and being able to provide customer support and the best service possible.
- Internal record keeping.

- We may use the information to improve our products and services. We process this information in this way as it is necessary for the purposes of our legitimate interests in providing better products and Services for you and our other customers.
- We may use the information to send promotional emails about new products, special offers or other information which we think you may find interesting, where you have provided permission for us to do so or, if you are an existing customer only, where we choose to contact you by electronic means (to include email or SMS) with information about our own goods and services similar to those which you have already obtained from us or negotiated to obtain from us. For those marketing messages you can unsubscribe at any time by emailing info@kimberleys.co.uk
- From time to time, we may also use your information to contact you for market research purposes. We may contact you by email, phone, fax or mail. We may use the information to customise the website according to your interests.
- To notify you about changes to our service

Who your information will be shared with

In the course of the services that we provide we will on occasion need to pass your details to the following organisations who carry out certain activities on our behalf as part of us providing our services including our chosen credit referencing and fraud prevention agencies, our approved contractors, photographers, property maintenance services, surveyors (both independent and for mortgage valuation purposes), our chosen Independent financial advisors, Energy Assessors (EPC purposes), utility providers, Legionnaire Assessors, and Cornwall Council.

Microsoft – information held by us in electronic form is stored within our Office 365 application.

Universal Thesaurus our software providers and website hosts. Analytic platform providers including but not limited to Google Analytics, Google Ad Words.

We will pass your details to your property solicitors and those of the other party to your transaction. We will also disclose your information to third parties, other estate agents in the chain. Developers where a purchase has been agreed.

We require that these service providers and other third parties adhere to strict rules when processing your personal information, including to only use your personal information in accordance with our specific instructions (for example arranging access to carry out repairs) and the applicable laws.

In the event that we sell or buy any business or assets, in which case we will disclose your personal data to the prospective seller or buyer of such business or assets.

If our company or substantially all of our assets are acquired by a third party, in which case personal data held by us about our customers will be one of the transferred assets.

If we are under a duty to disclose or share your personal data in order to comply with any legal or regulatory obligation, or to protect the rights, property, or safety of our company, our customers, or others. This includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction.

Personal information will be disclosed where required by law or legal process, for the administration of justice, to protect your vital interest, for investigations by law enforcement or regulatory bodies, to protect and defend Kimberley's Independent Estate Agents property and legal rights, to protect the personal safety of our website users or by order of a valid injunction from a court or law enforcement agency.

Information can be shared with other landlords including where you apply to another landlord for a tenancy; 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 Department for Work and Pensions or the local authority); courts; police and law enforcement agencies; taxation authorities; local authorities in relation to Council Tax 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 etc., e.g. in an emergency. It may be necessary for us to share information with a future owner of the property if we are selling. We also may share information with professional advisers

such as lawyers and accountants or an advice agency which involves sharing information about you with them. If you live in a flat we give information to the freeholder, managing agent etc., for the block of flats. 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 contractual obligating binding on us. What we share will depend on what is necessary in the circumstances and more details are given in the Table in respect of different kinds of information which we hold about you.

Joint tenants and guarantors - 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). This relates to your performance of your responsibilities under the tenancy agreement including information about any rent arrears or other breach of the tenancy terms. It can also relate to issues around the termination of the tenancy and any claims we may have as a result.

Immigration/right to rent checks - By law, in England, we are required to check your immigration status before we rent a property to you. This means that you are legally obliged to produce certain documentation (e.g. a passport or driving licence) to us. This applies whether or not you are a UK or EU citizen. Not only are we required to see original documentation but we must take and keep copies of it. We also check this documentation as part of our process to verify your identity at the outset of the tenancy. Prospective tenants and all adult residents who will live at the property must be checked.

Search Engines, websites, etc - As necessary, we obtain information about you which is publicly available via search engines such as Google or Facebook and websites. This will include information about you which you yourself made public. Further details are set out in the Table. However, when doing so we make sure that we comply with applicable guidelines under data protection legislation.

Special categories of data/sensitive personal data - In limited situations we will process information about your health or any disability. This data is given special protection under data protection law. Normally we would expect to ask you for your explicit consent before we collect or use this kind of data.

Children - In cases where you rent a property where a child resides, information will be given to us about resident children; usually by an adult such as a parent on their behalf. Data protection law requires us to give such information additional protection where we collect or use it. In particular, where the rented property is located in England, 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.

Obligations to process data - Private renting is highly regulated so we are under various legal obligations. These include an obligation to carry out gas safety checks under gas safety legislation. We may need to handle data for this purpose, e.g. to give the contracted gas safety engineer access to the property. If the property is located within the area served by South West Water, in line with Information Commissioner advice, we will pass over details of your occupancy to the relevant Water Company to enable them to collect water charges as it is in their legitimate interests to receive this information.

Legally we must also hold and process information relating to any tenancy deposit which you pay to us including sharing your information with a deposit scheme by which any deposit is protected.

Under any statutory licensing schemes applicable to the property we may be required to give information to the local housing authority relating to your occupation of the property. Similarly, there are various regulatory requirements which may mean that we need to give information about you to public or local authorities or other regulatory authorities. We consider that it is in the legitimate interests of utility companies to receive information about occupants of the property to enable them to bill you for utilities (unless these are included within your rent). Local authorities are notified of your occupancy as they are entitled to serve notice upon us requiring this information if they choose to do so.

Why we process your data

The various purposes for which it may be necessary for us to process various categories of your information include: -

- In our legitimate interests for deciding on the suitability of a proposed tenant/resident/purchaser

- In our legitimate interests for verifying the credit worthiness/suitability of tenants/residents/purchasers
- Our legal obligation to check immigration status/right to rent/money laundering. This is also to verify identities.;
- To perform our tenancy contract to deal with joint tenants and residents who are linked to the tenancy
- To perform our contract to complete the tenancy agreement/ purchase of property
- In our legitimate interests to secure rental 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 or the property purchase
- 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 Council Tax
- 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/residents/Vendors/Purchasers
- 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

We may change the purposes where this is compatible for the purpose for which we obtained the data originally. If we need to use your data for a non-compatible purpose we will notify you and explain the legal gateway that allows us to do so. We may process your information without your knowledge where this is required or permitted by law.

More information about what we do with data and why, along with the relevant legal gateway is given in the Table. This also tells you who we share data with and receive it from.

How long we keep your information for

Your information will be retained for different periods of time depending on the lawful basis for collecting and processing the data.

Where a transaction has been entered into and there is a contractual necessity to do so, or where there is a requirement to comply with legal obligations (for example in order to comply with the requirement of the TPO Codes of Practice, both for Sales and Lettings Agents, to maintain clear and full written records of transactions for a period of six years, this is the statutory limitation plus a further year to allow for the service of proceedings should proceedings commence later. We are also required to retain information for up to 6 years for tax purposes and to comply with the Money Laundering Regulations 2017 requirement to hold records for a period of 5 years).

Therefore, where a tenancy or sale has been granted such shall be retained for a maximum of 7 years after the sale or tenancy has ended.

In the event a tenancy is not granted such shall be deleted up to a maximum of 12 months after your application has been withdrawn or declined.

Security

We are committed to ensuring that your information is secure. In order to prevent unauthorised access or disclosure we have put in place suitable physical, electronic and managerial procedures to safeguard and secure the information we collect. Where your personal information is stored by us in electronic format it is held either in encrypted servers located within our premises or held in encrypted format in one or more Microsoft Data Centres with the EU. Certain information is also retained on a secure basis in hard copy format. Email communications pass through and are temporarily stored on servers in the US. By providing us with your personal information, you agree that we may transfer, store and process your information in this manner.

Our email account and web provider is the provider specified in the Table. Our email account is web based. Providers store related data internationally and not necessarily within the European Union. The recipient of this data is the provider concerned. You need to refer to the provider concerned to determine if they have the required clearance (adequacy decision) from the EU authorities or whether or not, instead, there is an agreement containing appropriate and suitable safeguards and to obtain a copy of this agreement.

Unfortunately, the transmission of information via the internet is not completely secure. Although we employ security measure designed to protect your personal data, we cannot guarantee the security of your data transmitted to our Site; any transmission is at your own risk. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorised access. Messages sent over the internet cannot be guaranteed to be completely secure, they could be intercepted, lost or possibly altered. We cannot take responsibility for this, and we will not be liable to you or anyone else for any damages or otherwise, in connection with any message sent – either by you to Kimberley's or by Kimberley's to you – over the internet.

If you are given a username and password which enables you to access certain parts of your process on our systems, you are responsible for keeping it confidential. Please do not share it with anyone.

Telephone Calls/CCTV - To protect our legitimate interests telephone conversations may be recorded electronically for monitoring and to ensure that we have a record of what is said. You or others may leave messages when calling. When we install CCTV, this is for security purposes in cases where we consider that it is in our legitimate interests to carry out such monitoring which must be done in accordance with legal requirements. We may also use CCTV to detect breaches of the tenancy terms, e.g. in the common parts or outside the building. Recordings will be kept for these purposes.

Downloads and Media

Any downloadable documents, files, images, video files etc., on our Website are provided to you at your own risk. We take all reasonable precautions to ensure that such files are free of viruses but we recommend that you use anti-virus software as a precaution. We accept no responsibility for downloads and media provided by external third party websites.

How we use cookies

Cookies are small text files that are placed on your computer's hard drive through your web browser when you visit any website. They are widely used to make websites work, or work more efficiently, as well as to provide information to the owners of the site.

Like all other users of cookies, we may request the return of information from your computer when your browser requests a web page from our server. Cookies enable our web server to identify you to us, and to track your actions and the pages you visit while you use our website. The cookies we use may last for a single visit to our site (they are deleted from your computer when you close your browser) or may remain on your computer until you delete them or until a defined period of time has passed.

Although your browser software enables you to disable cookies, we recommend that you allow the use of cookies in order to take advantage of the features of our website that rely on their use. If you prevent their use, you will not be able to use all the functionality of our website. Here are the ways we may use cookies:

- To record whether you have accepted the use of cookies on our website. This is solely to comply with the law. If you have chosen not to accept cookies, we will not use cookies for your visit, but unfortunately, our site will not work as well for you.
- To allow essential parts of our website to operate for you.
- To operate our content management system.
- To operate the online notification form - the form that you use to contact us for any reason. This cookie is set on your arrival at our web site and deleted when you close your browser.
- To enhance security on our contact form. It is set for use only through the contact form. This cookie is deleted when you close your browser.
- To collect information about how visitors use our site. We use the information to improve your experience of our site and enable us to increase sales. This cookie collects information in an anonymous form, including the number of visitors to the site, where visitors have come to the site from, and the pages they visited.
- To store your personal information so that you do not have to provide it afresh when you visit the site next time. This cookie will last for a period of time after which it will delete automatically.

Links to other websites

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

Job application and employment

If you send us information in connection with a job application, we may keep it for up to three years in case we decide to contact you at a later date.

If we employ you, we collect information about you and your work from time to time throughout the period of your employment. This information will be used only for purposes directly relevant to your employment. After your employment has ended, we will keep your file for six years before destroying or deleting it.

Controlling your personal information – Your Rights

Where we hold personal data about you, you are the data subject. Data protection legislation gives you a number of rights. To exercise any of these rights you should contact us. You can do so by email at the address given above or you can telephone us on the number given above. You can also write to us at our address given at the top of this notice. Normally no fee is payable.

You have the right to ask us not to process your personal information for marketing purposes or to alter your preferences for the type of marketing you wish to receive (property for sale etc.,) or to alter the methods by which you receive marketing correspondence i.e. (via email, text, phone or post).

We will not sell, distribute or lease your personal information to third parties unless we have your permission or are required by law to do so. We may use your personal information to send you promotional information about third parties which we think you may find interesting if you tell us that you wish this to happen.

In particular you have a right to object to the processing of your information where we are processing this in our own legitimate interests or those of someone else. This applies if you feel that this impacts on your own interests or your fundamental rights or freedoms.

These rights are as follows –

- Access – you have the right to make a request to be told what personal data we hold about you. This is a right to obtain confirmation that data has been processed and to have access to your personal data and the right to information details which should be provided with the privacy notice.
- Correction/Rectification – if you consider any data we hold about you is inaccurate you can tell us so that where appropriate this can be corrected. Where a mistake is made in data processing then you can ask to have it rectified. Any third parties who have received the data from us should then be told of the rectification and you should be informed by us of any such third parties.
- Erasure – you have a right to ask us in certain circumstances to erase any data we hold about you (the so called right to be forgotten). Individuals can request the right to have personal data erased to prevent processing in specific circumstances, i.e. it is no longer necessary, consent has been withdrawn, there is an objection and where applicable your rights etc., override the legitimate interests to continue our processing, or data has been unlawfully processed.
- You can object to our processing of data – this allows you to object to our processing of data about you. We must then stop processing data unless we can establish legitimate reason for continuing. In particular this applies where we are relying on our own legitimate interests or those of a third party to process data but it can also apply in other situations.
- Restricting processing – you can ask us to suspend processing of your personal data and we must then restrict processing of data. This includes where you are contesting the accuracy of a statement or the lawfulness of the processing.
- Data portability – this allows individuals to reuse their personal data for their own purposes across different services allowing them to move, copy or transfer personal data more easily.

Withdrawal of consent

Where your consent provides us with the legal gateway to process data about you you can withdraw this at any time by telling us by email or post using the telephone/addresses given above.

Complaints

We operate our own internal complaints policy and if you have any concerns about the way in which we collect or handle data please contact us. When we receive a complaint, we record all the information you have given to us. We use that information to resolve your complaint using our Complaints Process. If your complaint reasonably requires us to contact another person, we may decide to give to that other person some of the information contained in your complaint. We do this only if absolutely necessary to resolve the complaint, but it is a matter for our sole discretion as to whether we do give information, and, if we do, what that information is.

We may also compile statistics showing information obtained from this source to assess the level of service we provide, but not in a way that could identify you or any other person.

If you wish to raise a complaint on how we have handled your personal data, you can contact us to have the matter investigated by writing to **Stephen Kimberley, Kimberley's Independent Estate Agents, 29/29a Killigrew Street, Falmouth, TR11 3PN**

If you are not satisfied with our response or believe we are processing your personal data not in accordance with the law you can complain to the UK data protection regulator, the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues. 0303 123 1113. - www.ico.org.uk

Information Commissioner
 Information Commissioner's Office
 Wycliffe House
 Water Lane
 Wilmslow,
 Cheshire SK9 5AF

TABLE

Introduction

About this Table

As necessary, we collect, use and otherwise process different categories of information (data) about you relying on the various legal gateways available to us. This relates to your application for a tenancy/residency and, if this goes ahead, so that we can manage the tenancy and the property along with associated matters. This part of this notice gives you a general description of these processing activities for the different categories of information and the purposes for which we process your information. If you consider that we have not given sufficient details of what we do then you can make an access request for more information.

Background

Renting out residential accommodation and managing tenancies and rental properties is a multi faceted. As tenants and residents are at the centre of this service, we must process your data for a large number of different purposes. Data protection law requires us to give you information about these processing activities as concisely as possible. To do so we have split information about you into different categories, which is in line with requirements in the legislation. We also have to tell you the extent for which your information can be used and shared. Due to the nature of our business information falling into one category will be combined with information in other categories to be handled by us as permitted for the stated purposes under the relevant legal gateway which we have to identify. For example, information about your identity/contact details will be combined with other categories of information to correctly identify you, e.g. when we compile our accounts or pass information about a repair over to a contractor so that they can deal with the problem at the property you rent. However, we only do this to the extent that it is necessary in the circumstances.

Expressions used

To make this Table as concise as possible we employ a number of expressions –

Handle information – collecting, compiling, using or storing information (data).

Use information – when we use information this means we consult it, compile it, refer to it to make a decision, or act on it, or combine it with other data. When using it in this way we may have to alter it.

Share data – this includes transferring data to someone else where this is necessary, or receive it from a third party.

Collect data – this is where we receive information either from you, e.g. when you sign a tenancy application form or from a third party, e.g. a reference about you.

Compile data – this is where we use information about you which we have collected to generate information about you, e.g. our rent payment records or repair records.

Next of kin etc. – this includes close relatives.

Altering Data

We are required by data protection legislation to keep your information up to date and it is of course in our own legitimate interests to do so for us to ensure that we have accurate records. For example, we keep our record of your rent payments up to date as they are received.

Storing Data

We keep information both electronically and in a manual filing system to maintain our records. We do this because we need to use it from time to time. Normally the legal gateway permitting us to do so which will

apply will be the same as applies when we use the data. Additionally, however, there are legal obligations to retain data under data protection law, taxation legislation and housing law. We also need to do so to fulfil our contract with you. In our own legitimate interests, we also need to retain information to deal with enquiries or disputes and for audit purposes.

Destruction of Data

We delete/destroy data once it is no longer needed. This is a requirement of data protection law. This notice tells you the period for which we normally store data.

What this Table tells you

Information is handled as necessary from time to time. As already stated, information falling under one category can be amalgamated with or added to information in another category in order to carry out the stated purposes.

Part 1 of this Table tells you, depending on the relevant category of your information, what our processing activities are and what is the legal gateway permitting processing as well as the purpose for which we carry out these processing activities.

Where the legal gateway in question is our own legitimate interests (or those of a third party) we identify the relevant legitimate interests.

Details about sharing data are set out in **Part 2**, whether we transfer it to someone else or receive from a third party.

Part 1 – Collecting, compiling, using and storing your information

In this Part we list out the different categories of your information, briefly explain them where needed, explain what we do with the information and why, as well as specifying the relevant legal gateway we rely on to do so.

We use the word “handle” to cover collecting, compiling, using or storing this information.

Identity and contact details

This includes name, contact details, date of birth and national insurance number

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 the tenant’s present residence and their current landlord (if any), current occupation and status, employed, student etc., employer or educational institution, state benefits received, details of other residents, any bankruptcy or county court judgments, next of kin etc., pets and any photographs of yourself.

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 residents with suitable guarantors where applicable.

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.

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.

Bank details

This includes details of your bank, building society or other paying organisation, including those operating digitally/online.

We handle this information in order to receive payments from you or on occasion to make payments to you. This is done to perform our contract.

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.

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/residents and do not receive proceeds of crime.

Tenancy details

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.

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 our contract.

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.

Where you are a joint tenant or there are residents living with you details of any other joint tenant or resident are 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 a contract.

Where there is a guarantee, e.g. from a parent, 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 your 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.

Deposits (if any)

This includes the amount of a deposit, who pays it and in what shares and the steps taken to protect the deposit.

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 to ensure compliance with legal obligations relating to handling deposits under the Deposit Protection Legislation. This is to secure payment of the rent and compliance with tenancy obligations.

We also handle deposits at tenancy termination and this is dealt with under that section.

Immigration/right to rent checks (England only)/verifying tenant's identity

Under immigration legislation we check that each tenant and adult resident in the property has the right to rent. This includes retaining copies of passports, driving licences and other specified documentation. We must retain this for inspection if required by the Home Office.

We handle this information in accordance with the requirements of immigration legislation in order to carry out our legal obligations.

We also handle this information in order to verify the identity of tenants and residents along with guarantors in order to protect our legitimate interests. These are to ensure that we are dealing with the correct person. This is done in Wales as well as in England for this purpose.

Rent and payment collection

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.

We keep this information in order to compile correct and up to date records. This is done for contract performance.

Recovery of arrears, claims and possession proceedings

In the event of non-payment of rent or other payments due, or if there is non-performance of the contract (including allegations against ourselves) 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.

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.

Repairs/housing standards/health and safety

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.

We handle this information to ensure that the property and its contents are properly maintained. This is done both for the purposes of contractual performance and, where applicable, to comply with our legal obligations.

Breach of tenancy agreement/nuisance etc.

This includes complaints which we receive or information which we hold relating to alleged breaches by a tenant or resident (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 residents.

We handle this information so as to ensure that tenancy obligations are complied with and that tenants and residents live 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.

We also handle this information under a legal obligation where there is a selective licensing area in force or where the property is a licensed house in multiple occupation (HMO) or under the licensing scheme operating in Wales.

Council Tax liability

Notification is given to the local authority in relation to tenant/resident liability for Council Tax. This can include information about the period of occupancy as well as former and subsequent addresses.

We handle this information in order to ensure that the liability for Council Tax is dealt with correctly. This is done to protect our own legitimate interests and those of the local authority. These are for the correct billing and collection of Council Tax and to ensure that we do not have to meet Council Tax liability ourselves where this is not appropriate.

In the event of the local authority serving a statutory notice we then we must supply this information to comply with our legal obligations.

Where appropriate the tenant may be entitled to a reduction in Council Tax (formerly called Council Tax benefit). Information is handled relevant to claims made by tenants. This is in the interests of the local authority administering the scheme to see that benefits are properly calculated and paid.

Water charge payments

This relates to notification to a water company of the tenants/residents who are living at the property their periods of occupancy and it can include previous and subsequent addresses. It also relates to communications between ourselves and the water company concerned.

In the area covered by Welsh Water this information is handled pursuant to a legal obligation.

Outside the Welsh Water area 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.

Utilities and other service providers

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. These services may be provided as a requirement under the tenancy agreement. 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.

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.

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.

Universal Credit/Housing Benefit/Local Housing Allowances

Where eligible a tenant will be entitled to the appropriate welfare benefits to assist them to pay rent. 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. This extends to Council Tax reductions (the old Council Tax benefit).

We handle tenancy details and rent payment records, including information about arrears of rent, 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 payment of rent due to us.

We handle information relevant to applications for benefit and in particular applications for direct payment to ourselves including reasons for non-payment of rent. This is for contractual performance.

On occasion 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 due to us.

Tenancy termination

A tenancy may run out and the tenant leaves. Tenants can leave early while the tenancy is still running on. We may serve notice requiring the tenant to vacate and, if need be, enforce this by court possession proceedings.

Tenancy terminations of whatever kind also involve the return of any deposit paid, possible claims against guarantors, claims on rent insurance or property insurance, arrangements for tenants/residents to vacate the property, tenants/resident's property being left behind. They also give rise to issues around the state and condition in which the property has been left, e.g. cleanliness.

We handle information relevant to these matters concerning tenancy termination. 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 our contractual obligations between us and the tenancy deposit scheme with whom the deposit is protected.

Complaints

We operate a complaints procedure which may be informal. Although we will do all we can unfortunately sometimes things go wrong so complaints may arise.

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 these, although this might involve external intervention, e.g. by the courts.

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 the complaints are properly resolved.

Health/disability

Importantly, this is sensitive personal information to which additional protections apply. We may be given information about your health (whether mental or physical) or disabilities.

Health information may be given to us to explain your absence from the property or as a reason why rent has not been paid. 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.

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.

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 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.

In regards to information concerning any disability, we handle this information to assist in the management of the tenancy and the property. This may also be under a legal obligation where we are obliged by law to make provision to deal with your disability.

In addition, as this is special category data, additional legal requirements are imposed upon us about your health and/or disability and we may request your consent to handle this information.

CCTV and Audio

If we operate CCTV you will be given information about this. We may operate CCTV to cover common parts or the exterior of the premises.

We may also hold audio recordings, e.g. messages from you on telephone answering machine or mobile phone.

Where CCTV is operated this is for the safety and security of the premises 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, residents and neighbours. 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.

Correspondence, etc

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 include photographs and other visual recordings.

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. 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.

Websites and online platforms

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.

Information about you is also made available when you access online platforms, e.g. to enquire about properties which are available for renting.

We handle this information to assess your suitability for tenancies/residency and for the management of the tenancy and the property. This is in our own legitimate interests to ensure that tenants/residents 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 to ensure that our property interests are protected and our rights are enforced.

We handle information received via our online platforms for contract performance, including arranging lettings and entering into tenancy agreements.

Insurance

Landlords insure the buildings and may insure contents belonging to them. They may also insure against public liability, including liability to yourself for injuries and rental insurance, in the event of rent arrears or other tenancy default.

We handle information about you which may be relevant to 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 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.

It is your responsibility to insure your own contents/belongings. You may seek information from us relevant to arranging such insurance or making claims. We handle this information and will do so with your consent which is provided as part of your request for any assistance or information.

Flat management

This applies in particular where the property is a flat. This flat will be held by us under a lease or subject to other contractual arrangements which will set out various responsibilities for the upkeep, insurance etc., of the block including common areas. 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.

We handle information about you in order to carry out our responsibilities under these leases/arrangements. This is done in our own legitimate interests and in the interests of the freeholder etc., of the block so as to ensure that respective obligations are properly performed.

Car registration

We hold records of car registrations for vehicles which you keep at or in the vicinity of the property.

We handle this information to manage the property for contract performance.

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 the landlord property interests and rights and those of others such as neighbours who may be affected by parking issues.

Other

Professional Bodies		
ICO	Required by Law	The Legal requirement on us is for 6 years.
NFOPP	To support running Business	The Legal requirement on us is for 6 years.
ARLA	To support running Business	The Legal requirement on us is for 6 years.
TACPP	To support running Business	The Legal requirement on us is for 6 years.
Property Ombudsman	To support running Business	The Legal requirement on us is for 6 years.
Insurance Providers and Brokers	To support requirements of running business	The Legal requirement on us is for a minimum of 6 years.

Part 2 – Sharing Information

Introduction

We share your information with various persons, organisations and public authorities as necessary. This involves us either transferring your information to others or collecting it from them, depending upon the circumstances. This Part of the Table gives you details about this. It can be a two-way traffic between ourselves and others. In some instances, we may collect information about you from someone else following a request by us to them to provide this information.

Where we collect information from others (third parties) we have to tell you the source of this information, whether or not it is publicly accessible, the nature of the source (i.e. whether it is publicly or privately held) and the types of organisation from whom the information is obtained. Where possible we need to name the source as well but often this cannot be done. The required details appear in this Part of the Table.

Where information is received from a private person/body or a public authority, this information will not normally be publicly accessible, however in some instances it will be. Information which will be publicly accessible will be information such as Council Tax bandings and information available in public registers, e.g. registers of births and other available public registers.

We share identity and contact details with all persons, organisations/authorities referred to below. This category of information is linked with the other information in every category for the purposes and under the legal gateway specified under each of the other categories of information. This is to ensure that you are correctly identified and, if need be, can be contacted.

A – Sharing of certain categories of your information

We share certain categories of your information (both transferring it to them and collecting it from them as necessary) with private persons/organisations and public authorities as necessary.

In **Section B** we go onto explain that, as necessary, certain private persons/organisations and public authorities can share any of your information (irrespective of its category).

Table 1 below identifies the different categories of your information and specifies the private persons/organisations/public authorities with whom these different categories of your information are shared as necessary. This Table should be read in conjunction with **Table 2** (private persons/organisations) and **Table 3** (public authorities). **Tables 2 and 3** explain why we share your information with these persons/organisations/public authorities and the legal gateway which allows this to happen.

Depending on the category of data concerned you should also refer to that category under **Part 1** above because the purposes set out for which we handle data and the legal gateway for doing so also usually apply when we share data with others.

Table 1 – Data categories and who they are shared with

Data category	With whom we share the data
Personal/background information	Landlords, Other landlords/employers; debt collectors/tracing agents; next of kin etc.; insurers; banks etc.
Bank details	Our bank, credit reference agency; debt collectors/tracing agents
Tenancy details	Landlords, Other landlords/employers, benefit authority, taxation authority
Deposits (if any)	Landlords, Tenancy deposit body; debt collectors/tracing agents; taxation authority
Immigration/right to rent checks (England only) and verification of tenant's identity	Home Office; credit reference agency (for verification of identity)
Rent and other payments	Landlords, Bank, benefits authority, taxation authority, joint tenants/resident's guarantor, insurers, other landlords

Recovery of arrears, claims and possession	Debt collectors/tracing agents, Landlords, other landlords, taxation authority, joint tenants/residents, guarantors; insurers
Repairs/housing conditions/health and safety	Landlords, Contractors, tradespeople, etc., deposit protection body, joint tenants/residents, freeholder flat management etc., guarantors
Breach of tenancy agreement/nuisance etc.	Landlords, Contractors, tradespeople etc., deposit protection body, joint tenants/residents, guarantors, educational institution, neighbours, other residents etc., freeholder, flat management agents etc., insurers
Council Tax liability	Taxation authority (local authority)
Water charges	Water companies
Utilities and services	Utility suppliers and service providers, e.g. Broadband
Universal Credit, housing benefit etc.	Benefit authority (Department for Work and Pensions or local authority), regulatory authority, joint tenants/residents/guarantors
Termination of tenancy	Landlords, Other landlords, educational institutions, debt collectors/tracing agent, taxation authority, deposit protection body, bank joint tenant/resident/guarantors, freeholder managing agents etc.
CCTV/audio/ recording table	Deposit body, joint tenants/residents, guarantor, next of kin etc.
Correspondence etc.	Depending upon the applicable category of information relevant correspondence etc. is shared with any of the persons/organisations/authorities listed in Section A.
Online platforms	Joint tenants/residents; guarantors
Insurance	Insurers, banks etc.
Flat management	Freeholders, flat managing agents etc.

Table 2 – Private persons/organisations

Categories of persons /organisations	Purpose and legal gateway
Other landlords/employers	To obtain references. This is to ensure suitability for a tenancy in our own legitimate interests. We also provide information to prospective landlords in their legitimate interest to assist them in evaluating suitability for a tenancy/residency. These interests are to ensure that properties are let to reliable tenants/residents. Where the property is subject to selective licensing there is 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 etc., 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, e.g. Broadband	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 residents for a tenancy. This is in our own legitimate interest to ensure that we let to reliable tenants/residents. This may include the Residential Landlords Association who undertake on behalf of their members with Call Credit. Rentshield Credit referencing Agent and Right to Rent Check application checking service.
Debt collects/tracing agents	To trace you or make a claim in our legitimate interests. These are to enforce our legal rights.
Joint tenants/residents	Management of the tenancy and the property for contractual performance. Additionally, in our own legitimate interests and those of joint tenants/residents where there are arrears of rent 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 residence 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 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 etc.	To make contact with them in the event of an emergency to protect your vital interests.
Insurers	To arrange public and other liability insurance and rent 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 loans. 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 rental 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 etc. providing us with loans. This is in our legitimate interests to ensure compliance with the loan conditions and in the interests of the bank etc. to see that appropriate insurance cover is in place.
Neighbours, other tenants and residents	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.
Flat freeholders, managing agents etc., where the property is a flat.	The management of the tenancy and the property. Under leases/other contractual arrangements they are entitled to certain information, e.g. who occupies the flat 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 freeholder managing agent etc., concerned. This is to ensure compliance with our own contractual legal obligations and/or for the management of the block.
Web sites, portals etc.	Undertaking searches and obtaining publicly available information relevant to your suitability for a tenancy/residency and relating to the management of the tenancy and the property. This is undertaken in accordance with applicable data protection law and guidance and subject to data protection principles. In connection with your application for a tenancy, we may receive information via any online portal involved for contractual performance.

Table 3 – 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 Department for Work and Pensions) 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 and that amounts properly due to us are received.
Deposit body	Under housing legislation we are required to protect any deposit which you pay in connection with the tenancy. We may pay this into a custodial scheme which holds the money or alternatively hold it ourselves in which case it is insured. We have to register the deposit with the deposit body concerned. This is to comply with our legal obligations. During the course of the tenancy it may be necessary to give details of any changes to the deposit body to comply with our legal obligations. On the termination of the tenancy 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, 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 conjunction with landlords of student properties. This can include information about tenancy 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 Council Tax and Council Tax reduction 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 etc. In the case of Council Tax this is required where statutory notice to that effect is served on us. Otherwise, we share information with the local authority relating to Council Tax in our own legitimate interests to ensure that Council Tax is correctly administered and in the legitimate interests of the local authority to collect information for the same reason.

B – Private persons/organisations/public authorities with whom any information is shared

As necessary, we share all of your information (irrespective of its category) with certain private bodies/organisations/public authorities. This includes transferring your information to them and receiving it from them. These are

Category of person/organisation/public authority	Purposes and legal gateway
Professional advisers	Assistance and advice regarding the management of the tenancy and the property for contractual performance. Where we handle your information under some other gateway and a professional adviser assists or advises this will for the same purpose and under the same legal gateway. 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. On occasion, 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, 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 are 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.
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.
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* These are public authorities

Names of persons/organisations/public authorities with whom information is shared

Where we are able we have to provide you with the identity of the persons/organisations/authorities which are referred to in Tables 1, 2 and 3 above.

Email provider: British Telecomm
Website provider/host (if any): Universal Thesaurus
Agents bank: Lloyds Bank Plc
Water Company: South West Water
Deposit protected with: The Deposit Protection Service

Professional Bodies		
ICO	Required by Law	The Legal requirement on us is for 6 years.
NFOPP	To support running Business	The Legal requirement on us is for 6 years.
ARLA	To support running Business	The Legal requirement on us is for 6 years.
TACPP	To support running Business	The Legal requirement on us is for 6 years.
Property Ombudsman	To support running Business	The Legal requirement on us is for 6 years.
Insurance Providers and Brokers	To support requirements of running business	The Legal requirement on us is for a minimum of 6 years.

Contractors etc., regularly employed to maintain properties – but not restricted to:
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Plumbase
A1 Appliances
K J Ball Painting & Decorating
PGE Limited
Trewfit Carpets
Westwood-Frame Carpets
Falmouth Window Cleaners
Fal Carpet Cleaners
Risk of Legionella
PMD – Maintenance, plumbers, electricians
Rentshield Direct
The Stove Doctors
South West Drains
Aqua Dry
BG Electrical
Anthony Eva Roofing
Chris Foxwell Property Maintenance
Cornwall Drains
Property Search Group
JGS Gasworks

Tom The Chimney Sweep
Roger Jones Drains
Craig Libby Property Maintenance
Blue Flame (Cornwall) Limited
Aqua Rod
Clear-flow Limited
Oven Genie Limited
Pellows Waste Disposal Services Ltd
Cornwall Garage Door Centre Ltd
Class Fire Ltd
Tregelly Plumbing & Heating
Andy Stribley
Belmont Property Management
Stewart Marshall Plumbing and heating
Shane McCartney Property Maintenance
Cernow Chimney Sweep
Terminate
Blue & Green Plumbing
CIS Penzance – House Clearance
Barry Phillpott Electrics
EDJ Properties
Andy Van Removals
Bobby Richardson
Ken Ryan Carpet Fitters
Pro Handyman
Scrace & Co Limited
Fire Crest
Herron Shoe
Maenporth Electricals
Be Ta Pest S.W.
Spring Kleen
Benjamin Tremayne Chimney Sweep
1st Call Vista
Tri-Ak Aerial Services
Westwall Electrical Limited
Louisa Jane Wheelhouse
Tree Monkeys
Fuse Right
Sure shine Cleaning Company
Local authority: Cornwall County Council