

Cheshire Property Lettings Privacy Notice

Last updated 10 May 2018

Cheshire Property Lettings ("CPL") is responsible for the processing of your personal information, whether you are an actual or prospective tenant, landlord or supplier.

This notice ("Notice") describes how we, as Data Controller, will handle, share and protect personal information that you provide, or which we obtain about you.

1. What does this Notice Cover?

This Notice applies to the personal information we obtain through various channels, which may be both online and offline collection in connection with administration of your account with us. In addition to collecting personal information directly from you, we may collect personal information from third parties, such as credit reference agencies, employers or previous landlords (if you are a prospective tenant) or publicly available sources, as required or permitted by local law.

This Notice describes the types of personal information we obtain, how we may use that personal information, with whom we may share it, and how you may exercise your rights regarding our processing of the information. The Notice also describes the measures we take to safeguard the personal information we obtain and how you can contact us about our privacy practices.

2. What information does CPL collect about me?

In addition to collecting personal information directly from you, we may collect personal information from third parties, such as credit reference agencies or publicly available sources, as required or permitted by local law. The types of personal information we may obtain include:

- contact information (such as name, phone, email and postal address) for you or for others (e.g., your spouse/partner, next of kin, other prospective tenants/occupants or co-landlords);
- contact information you provide to us about your employment (if applicable);
- contact information you provide to us about previous landlords (if applicable);
- biographical and demographic information (such as date of birth, age, gender, job title/position, marital status and dependent, spousal and other family information);
- financial information (such as payment information, including name, billing address and payment card details (i.e., card number, expiration date and security code); bank account information; financial statements; income, expenditure; and, in exceptional cases and to the extent applicable, credit score), and any CCJs or other unsatisfied indebtedness;
- contact information you provide about friends, family or other people you would like us to contact, in particular referees;
- other personal information contained in content you submit to us;

- in our course of dealings with you we may obtain National Insurance numbers or other government-issued ID numbers and Tax ID numbers.

Please note that providing personal information to us is voluntary on your part. If you choose not to provide us certain information, we may not be able to fulfil our legal or compliance obligations and we may not be able to offer you certain products and services.

By providing us with personal information you confirm that: (i) you have reviewed this Notice and agree to its processing as explained herein; and (ii) you have provided notice and obtained the necessary consent to share the personal information of others, such as your employer, your proposed guarantor (if applicable) and your landlord(s) (if applicable) or other natural persons.

Cookies and Similar Technologies

Cookies are text files placed on your computer to collect standard internet log information and visitor behaviour information. We do not use cookies or similar technologies on our website (www.cheshirepropertylettings.co.uk).

This website does not automatically capture or store personal information, other than the user's IP address which can be used to analyse visitors to the website.

Other websites

Our website may provide links to other third-party websites, particularly property websites such as www.zoopla.co.uk and features, or contain third-party cookies, that are not owned or controlled by us. We are not responsible for the privacy practices of third parties, which are subject to their respective privacy policies.

Children's Personal Information

We do not knowingly collect personal information from children. If you believe that a child may have provided us with personal information, please contact us.

3. How does CPL use my personal data?

We will use the personal information we obtain to:

- provide and administer our services to enable us to perform our, or our client's, contract with you or a relevant party;
- process tenancy applications, assess creditworthiness and tenancy suitability, and keep you informed about the status of your application;
- perform data analytics (trend analysis, financial analysis and customer segmentation);
- provide customer support, including relating to complaints and data access requests;
- create, administer and communicate with your relationship with us;
- operate, evaluate and improve our business (such as by administering, enhancing and improving our services; managing our communications and

- customer relationships; and performing accounting, auditing, billing, reconciliation and collection activities);
- verify your identity and protect against and prevent fraud and other unlawful activity, unauthorized transactions, claims and other liabilities;
- conduct investigations and comply with and enforce applicable legal requirements, relevant industry standards, contractual obligations and our policies and terms; and
- maintain and enhance the safety and security of our services, online channels, network services, information resources and employees.

Where the above extends to processing personal information relating to criminal convictions and offences, this will only be processed where authorised by applicable laws.

We may combine personal information we obtain through various channels for the purposes described above. We may anonymise or aggregate personal information and use it for the purposes described above and for other purposes to the extent permitted by applicable law. We also may use personal information for additional purposes that we identify at the time of collection. We will obtain your consent for these additional uses to the extent required by applicable law.

The legal basis for us processing your personal information, as described above, will typically be one of the following:

- for the performance of a contract with you or a relevant party;
- to fulfil our legitimate business interests;
- to comply with our legal obligations; or
- on the basis of your consent.

We will not use your personal information for marketing purposes unless you have informed us you wish to receive such; should this position change in the future we will contact you to obtain your consent to receive marketing information from us.

4. Who does CPL share data with, or transfer data to?

We do not sell or otherwise disclose personal information about you except as described here or at the time of collection.

- We may share personal information with service providers we have retained to perform services on our behalf or which we arrange on a third party's behalf (such as property maintenance contractors, payment processing, accounting, financial crimes compliance and data analytics). These service providers are contractually required to safeguard the information and are restricted from using or disclosing the information provided to them except as necessary to perform services on our behalf or to comply with legal requirements.
- We may disclose your information to suppliers, brokers, funders, purchasers, agents, sub-contractors, credit reference agencies and guarantors for the purposes described in this Notice;

- We may disclose personal information about you (1) if we are required to do so by law or legal process (such as a court order or subpoena), (2) to law enforcement authorities or other government officials to comply with a legitimate legal request, (3) when we believe disclosure is necessary to prevent physical harm or financial loss, (4) to establish, exercise or defend our legal rights, (5) in connection with an investigation of suspected or actual fraud or illegal activity or (6) otherwise with your consent.

We reserve the right to transfer any information we have about you in the event of a potential or actual sale or transfer of all or a portion of our business, assets or interests (including in the event of a merger, acquisition, joint venture, reorganisation, divestiture, syndication, dissolution or liquidation). In such case, we will require the relevant third parties to provide comparable levels of protection as we provide with respect to the information we share.

Credit Reference Agencies

In order to process your tenancy application, we may perform credit and identity checks on you with one or more credit reference agencies ("CRAs"). We may also make periodic searches at CRAs to manage your account with us and to comply with our financial crime compliance program.

To do this, we will supply your personal information to CRAs and they will give us information about you. This will include information from your credit application and about your financial situation and financial history. CRAs will supply to us both public (including the electoral register) and shared credit, financial situation and financial history information and fraud prevention information.

We will use this information to:

- Assess your creditworthiness and whether you can afford to enter into a formal tenancy agreement;
- Verify the accuracy of the data you have provided to us;
- Prevent criminal activity, fraud and money laundering;
- Manage your tenancy;
- Trace and recover debts; and
- Ensure any offers provided to you are appropriate to your circumstances.

We will continue to exchange information about you with CRAs while you have a relationship with us. We will also inform the CRAs about your settled accounts. If you borrow and do not repay in full and on time, CRAs will record the outstanding debt. This information may be supplied to other organisations by CRAs.

When CRAs receive a search from us they will place a search footprint on your credit file that may be seen by other lenders.

If you are making a joint application, or tell us that you have a spouse or financial associate, we will link your records together, so you should make sure you discuss this with them, and share with them this information, before lodging the application. CRAs

will also link your records together and these links will remain on your and their files until such time as you or your partner successfully files for a disassociation with the CRAs to break that link.

The identities of the CRAs, their role also as fraud prevention agencies, the data they hold, the ways in which they use and share personal information, data retention periods and your data protection rights with the CRAs are explained in more detail in Credit Reference Agency Information Notices ("CRAIN"). The CRAIN is readily accessible from each of the three CRAs – clicking on any of these three links will also take you to the same CRAIN document:

Call Credit:

- www.callcredit.co.uk/crain

Equifax

- www.equifax.co.uk/crain

Experian:

- www.experian.co.uk/crain

5. How does CPL protect my data?

We maintain administrative, technical and physical safeguards, consistent with legal requirements where the personal information is obtained, to protect the integrity, confidentiality, security, and availability of personal information. Wherever we share personal information we will exercise measures to safeguard it and ensure it is only processed as strictly necessary to fulfil a contractual task or legal obligation.

6. How long is my data retained for?

Your personal data is retained for no longer than necessary, and is disposed of where there is no longer a valid reason for the data to be retained.

Data retention periods are determined by taking into account legal limitation of liability periods, agreed contractual provisions, applicable regulatory requirements and industry standards.

7. What are my rights?

You have a number of rights available to you when it comes to the processing of your personal data.

Data Access

You have the right to request a copy of the information that we hold about you. If you would like a copy of some, or all, of your personal information, please email cplettings@btconnect.com or write to us at the following address:

Cheshire Property Lettings
45 Mill Street
Congleton
Cheshire
CW12 1AG

We will not charge you for this service. To help protect your privacy and maintain security, we may take steps to verify your identity before granting you access to the information.

Data Rectification

We want to make sure that your personal information is accurate and up to date. If you believe the personal data we hold about you is inaccurate you have the right to challenge it. You may ask us to update, correct or erase information you think is inaccurate.

Data Erasure / Objection to processing

You have the right to request your personal data to be deleted or alternatively object to your personal data being processed in certain circumstances. You may ask us to delete or cease to process your data and we will assess your request.

The data held by us is important to ensure compliance with our legal and regulatory obligations or our legitimate interests as a responsible lettings agency, preventing fraud and money laundering, compliance with contractual provisions, and legal liability limitation periods. It will be rare that we do not have compelling, overriding grounds to carry on using the personal data following an objection or request for erasure.

Restriction of Processing

You have the right to request we restrict how we use your personal data. The right is not absolute and we may still continue to process your personal data where certain grounds are established:

- With your consent;
- For the establishment, exercise, or defence of legal claims
- For the protection of the rights of another natural or legal person;
- For reasons of important public interest.

Data Portability

You have the right to receive a copy of your personal data in a structured, commonly used format, and to have your data transmitted to another controller where we are processing such data for the purposes of performance of a contract, or with your consent.

This right does not apply where we are processing data for other purposes, such as for compliance with a legal obligation or for another legitimate interest.

8. How do I make a complaint?

If you have a complaint regarding our processing of your personal data, please email cplettings@btconnect.com call us on 01260 290090/291999, or write to us at the following address:

Cheshire Property Lettings
45 Mill Street
Congleton
Cheshire

CW12 1AG

We will respond to your complaint within eight weeks. If you are not satisfied with our response you may have the right to file a complaint with a supervisory authority or other governmental regulator.

You may refer your complaint to The Property Ombudsman Scheme (“TPO”) for free. The TPO is an independent public body that aims to resolve disputes between consumers and businesses like us. You can contact them by:

- Phone: 01722 333306
- Email: admin@tpos.co.uk
- Writing to TPO, Milford House, 43-55 Milford Street, Salisbury, Wiltshire, SP1 2BP
- Going to their website at www.tpos.co.uk

You can also refer your concerns to the Information Commissioner’s Office (or ICO), the body that regulates the handling of personal data in the UK. You can contact them by:

- Website: www.ico.org.uk/concerns
- Telephone Helpline: 0303 123 1113
- Writing to: Information Commissioner’s Office, Wycliffe House, Water Lane, Wilmslow, SK9 5AF

9. How do I withdraw consent?

If you have provided your consent to us processing your personal data, you may withdraw consent you previously provided to us or object at any time to the processing of your personal information on legitimate grounds relating to your particular situation, and we will apply your preferences going forward as appropriate.

It is important to note that data provided to us by you is largely processed for the performance of a contract, for adherence to legal requirements and for other legitimate interests. There may be limited instances where we process data based solely on your consent and as such we may not be able to comply with any request to cease to process this data.

You may submit an application to withdraw consent by email at cplettings@btconnect.com, or by telephone on 01260 290090/291999, or by writing to us at the following address:

Cheshire Property Lettings
45 Mill Street
Congleton
Cheshire
CW12 1AG

10. Does CPL use automated decision making?

We do not use personal data provided by you for automated decision making or profiling activities.

11. How do I contact CPL?

Telephone: 01260 290090/291999. Our office hours are Monday to Friday 9am – 5pm.

Email: cplettings@btconnect.com. We aim to respond to your query within two working days.

Post: Cheshire Property Lettings
45 Mill Street
Congleton
Cheshire
CW12 1AG

Changes to Our Privacy Notice

This Privacy Notice may be updated periodically and without prior notice to you to reflect changes in our information practices. We will indicate at the top of this Privacy Notice when it was most recently updated.