

## Data Protection Policy

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### A) INTRODUCTION

We may have to collect and use information about you when you register as an applicant, enquire about renting out your property, or by becoming a guarantor, referee, or Parks recommended contractor. This can be by completing application forms, whether at our office or on the Parks Residential Ltd website, or by corresponding with Parks Residential Ltd by phone, e-mail or otherwise. We may also collect information by other means, this includes information you provide when you use the Parks Residential Ltd Website, subscribe to and/or access "PropertyFile", participate in discussion boards, blogs, or other social media functions on Parks Residential Ltd's media sites, enter a competition, promotion or survey, or when you report a problem with the Parks Residential Ltd website. This personal information must be handled and dealt with properly, however it is collected, recorded and used, and whether it be on paper, in computer records or recorded by any other means.

We regard the lawful and correct treatment of personal information as very important to our successful operation and to maintaining confidence between us and those with whom we carry out business. We will ensure that we treat personal information lawfully and correctly.

To this end we fully endorse and adhere to the principles of the General Data Protection Regulation (GDPR).

This policy applies to the processing of personal data in manual and electronic records kept by us in connection with our residential letting and property management function as described below. It also covers our response to any data breach and other rights under the GDPR.

This policy applies to the personal data of landlords, prospective tenants, tenants and their guarantors, permitted occupiers, contractors and referees. These are referred to in this policy as relevant individuals.



## **B) DEFINITIONS**

“Personal data” is information that relates to an identifiable person who can be directly or indirectly identified from that information, for example, a person’s name, identification number, location, online identifier. It can also include pseudonymised data.

“Special categories of personal data” is data which relates to an individual’s health, sex life, sexual orientation, race, ethnic origin, political opinion, religion, and trade union membership. It also includes genetic and biometric data (where used for ID purposes).

“Criminal offence data” is data which relates to an individual’s criminal convictions and offences.

“Data processing” is any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

## **C) DATA PROTECTION PRINCIPLES**

Under GDPR, all personal data obtained and held by us must be processed according to a set of core principles. In accordance with these principles, we will ensure that:

- a) processing will be fair, lawful and transparent
- b) data be collected for specific, explicit, and legitimate purposes
- c) data collected will be adequate, relevant and limited to what is necessary for the purposes of processing
- d) data will be kept accurate and up to date. Data which is found to be inaccurate will be rectified or erased without delay
- e) data is not kept for longer than is necessary for its given purpose
- f) data will be processed in a manner that ensures appropriate security of personal data including protection against unauthorised or unlawful processing, accidental loss, destruction or damage by using appropriate technical or organisation measures
- g) we will comply with the relevant GDPR procedures for international transferring of personal data

## **D) TYPES OF DATA HELD**

We keep several categories of personal data on our clients in order to carry out effective and efficient processes. We keep this data in a paper file relating to each tenancy and relating to each property and we also hold the data within our computer systems, for example, ZPG's software product Jupix.

Specifically, we hold the following types of data:

- a) personal details such as name, address, phone numbers and email addresses
- b) information gathered via the tenant application process such as that entered into a tenant application form, student application form, guarantor application form, permitted occupier application form
- c) Information gathered via the landlord procurement process such as that entered into a letting instruction form
- d) Information gathered via the contractor registration process such as that entered into a contractor application form
- e) details relating to payment such as bank account details
- f) property information
- g) information relating to your identity such as a bank statement, utility bill, driving licence or passport

All of the above information is required for our processing activities.

## **E) YOUR RIGHTS**

You have the following rights in relation to the personal data we hold on you:

- a) the right to be informed about the data we hold on you and what we do with it;
- b) the right of access to the data we hold on you. More information on this can be found in the section headed "Access to Data" below and in our separate policy on Subject Access Requests";
- c) the right for any inaccuracies in the data we hold on you, however they come to light, to be corrected. This is also known as 'rectification';
- d) the right to have data deleted in certain circumstances. This is also known as 'erasure';
- e) the right to restrict the processing of the data;
- f) the right to transfer the data we hold on you to another party. This is also known as 'portability';
- g) the right to object to the inclusion of any information;
- h) the right to regulate any automated decision-making and profiling of personal data.

## **F) RESPONSIBILITIES**

In order to protect the personal data of relevant individuals, those within our business who must process data as part of their role have been made aware of our policies on data protection.

We have also appointed employees with responsibility for reviewing and auditing our data protection systems.

## **G) LAWFUL BASES OF PROCESSING**

We acknowledge that processing may only be carried out where a lawful basis for that processing exists

The lawful bases under GDPR are where:

- a) You have given consent to the processing. We understand that consent must be freely given, specific, informed and unambiguous. Where consent is to be sought, we will do so on a specific and individual basis where appropriate. You will be given clear instructions on the desired processing activity, informed of the consequences of your consent and of your clear right to withdraw consent at any time.
- b) processing is necessary for the performance of a contract to which you are party, or in order to take steps at your request prior to entering the contract
- c) processing is necessary for compliance with a legal obligation to which Parks Residential is subject
- d) processing is necessary in order to protect the vital interests of you or of another natural person
- e) processing is necessary for the performance of a task carried out in the public interest or
- f) 'processing is necessary for the purposes of the legitimate interests pursued by Parks Residential Ltd or by a third party except where such interests are overridden by the interests or fundamental rights and freedoms of a person which requires protection of personal data, in particular in relation to a child.

## **H) ACCESS TO DATA**

As stated above, you have a right to access the personal data that we hold on you. To exercise this right, you should make a Subject Access Request. We will comply with the request without delay, and within one month unless, in accordance with legislation, we decide that an extension is required. Those who make a request will be kept fully informed of any decision to extend the time limit.

If you would like a copy of some or all of your personal information, please email or write to us at the following address. We will make a small charge for this service of £10 (inc VAT) to cover costs and we will require proof of your identity before we can release the information to you. We want to make sure that your personal information is accurate and up to date. You may ask us to correct or remove information you think is inaccurate.

## **I) DATA DISCLOSURES**

The Company may be required to disclose certain data/information to third parties. These kinds of disclosures will only be made when strictly necessary for the purpose. Such disclosures include:

- a) if we are under a duty to disclose or share your information and personal data to comply with any legal obligation
- b) if we become aware that a tenant has moved leaving behind an unpaid utility bill or an account in credit. In addition, a utility provider may need to contact a former tenant regarding continuing social support. In these circumstances we can pass a forwarding address (where known) to the utility companies as the Act is not intended to be an obstacle to disclosure in these situations.
- c) when you instruct us to market your property we will transfer your property data to Rightmove, Zoopla and On The Market to advertise your property. Rightmove, Zoopla and On The Market will become proprietors of and data controllers of that property data. By providing this data to Rightmove, Zoopla and On The Market we assign to Rightmove, Zoopla and On The Market any title, rights or interest to the property data. If you have concerns about the use of your property information beyond the specific advertisement which we place on Rightmove, Zoopla and On The Market on your behalf, please contact Rightmove, Zoopla and On The Market directly. You can also view Rightmove, Zoopla and On The Market's Privacy Policy at any time on their website which outlines how Rightmove, Zoopla and On The Market use the data.

## **J) DATA SECURITY**

All our employees are aware that hard copies of your personal information should be kept in a locked filing cabinet, drawer, or safe.

Employees are aware of their roles and responsibilities when their role involves the processing of data. All employees are instructed to store files or written information of a confidential nature in a secure manner so that they are only accessed by people who have a need and a right to access them and to ensure that screen locks are implemented on all PCs, laptops etc when unattended. No files or written information of a confidential nature are to be left where they can be read by unauthorised people.

Where data is computerised, it should be coded, encrypted or password protected both on a local hard drive and on a network drive that is regularly backed up. If a copy is kept on removable storage media, that media must itself be kept in a locked filing cabinet, drawer, or safe.

Employees must always use the passwords provided to access the computer system and not abuse them by passing them on to people who should not have them.

Personal data is not kept or transported on USB sticks, or similar devices, unless prior authorisation has been received. Where personal data is recorded on any such device it should be protected by:

- a) ensuring that data is recorded on such devices only where absolutely necessary.
- b) using an encrypted system — a folder should be created to store the files that need extra protection and all files created or moved to this folder should be automatically encrypted.
- c) ensuring that USB drives are not left where they can be stolen.

#### **K) THIRD PARTY PROCESSING**

Where we engage third parties to process data on our behalf, we will ensure, via a data processing agreement with the third party, that the third party takes such measures in order to maintain the Company's commitment to protecting data.

#### **L) INTERNATIONAL DATA TRANSFERS**

The Company does not transfer personal data to any recipients outside of the EEA.

#### **M) REQUIREMENT TO NOTIFY BREACHES**

All data breaches will be recorded on our Data Breach Register. Where legally required, we will report a breach to the Information Commissioner within 72 hours of discovery. In addition, where legally required, we will inform the individual whose data was subject to breach.

More information on breach notification is available in our Breach Notification policy.

#### **N) DATA PROTECTION COMPLIANCE**

Our appointed compliance officer in respect of our data protection activities is:

Maxine Jasper  
Compliance Director  
Parks Residential Ltd  
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