

PRIVACY NOTICE

This privacy notice is effective 22nd May 2018. Please read the following information carefully as it contains information about what data we collect and store about you and the reason for doing so. It also tells you who we share this information with, the security mechanisms we have put in place to protect your data and how to contact us if you have a complaint. We will not share your personal information with any other third parties without your consent, other than as confirmed in this Privacy Policy/Notice.

The ICO registration number for Torbay Accommodation Bureau Limited is ZA356407

Who we are:

Data Controller:

Torbay Accommodation Bureau Limited, Suite 15 Castle Circus House, 136 Union Street, Torquay, Devon TQ2 5GG. Registered office Sigma House, Oak View Close, Edginswell Park, Torquay, Devon TQ2 7FF. Company number 00958616

Email: enquiries@torbayaccommodation.co.uk

Tel: 01803292987

Torbay Accommodation Bureau Limited (TAB Ltd) collects, uses and is responsible for personal information about you. When we do this we are the 'controller' of this information for the purposes of the General Data Protection Regulation and other applicable data protection laws.

Our Data Protection Officer is:

Mr N Evans

Email: enquiries@torbayaccommodation.co.uk

Tel: 01803292987

What we do with your information, collected by us;

When carrying out business activities in relation to an appraisal, valuation, letting, or arranging a tenancy, of a property we collect the following personal information that you will need to provide to us:

- Your full legal name
- Date of birth
- Email address
- Postal address
- In the case of a Company your registered office address and the address we should contact you at on a daily basis (if different)
- Telephone number
- Information about your family
- Information about your health
- Financial information, such as earnings and outgoings
- Payment information, such as bank account details
- Your communication preferences.
- Acceptable documentation required to validate your identity in order to comply with the current Right to Rent and Money Laundering Regulations. We will need to take our own copies of your passport and photo driving licence, and we will often ask to take copies of recent bank statements and council tax/utility bills or other acceptable documentation according to the Home Office checklist.
- When applying to rent a property through us in most cases we will provide the Landlord of the relevant property with details of your income or savings, employment information, credit history, identification, previous landlord history including previous addresses, any children and/or pets who intend to reside at the property and any separate information that you may choose to disclose to us that is relevant to the granting of a tenancy.
- We may, during the course of your relationship with us, request additional information from you which is relevant to the provision of specific services.

Information collected from other sources:

In some cases where proof has not been provided we need to identify the legal owners of a property that we are instructed to let through the Land Registry documentation in order to verify the legal names of the legal owners. This information is already a matter of public record.

When we take instructions from a Company to let a property we will usually cross check information provided to us with what is available on the Companies House database. This information is a matter of public record.

Property portals such as www.rightmove.co.uk , www.zoopla.co.uk , www.primelocation.com send us your personal data when you have requested them to do so.

How we use your personal information:

We use your personal information for the following purposes:

When carrying out business activities in relation to a lettings service to prospective tenants, tenants and landlords to include the appraisal, letting, or arranging and managing a tenancy for property we collect the following personal information that you provide to us:

- Your property address when arranging a valuation/market appraisal.
- Your email address to send you our Privacy Notice, Terms of Business and Agency Agreement (when you are letting) and property details, application details and tenancy related documentation (when you are renting) and general correspondence that occurs within the nature of our business.
- Your communications with us, including a record of the emails and telephone correspondence created between us both.
- Where you are not the legal owner of the property we will request details from you as to your ability to let the property, such as a Power of Attorney, Grant of Probate or Guardianship Order.
- As a Landlord or Tenant we will disclose in full the Tenancy Agreement applicable to the tenancy to both parties.
- Landlord and Tenant contact details will be passed to the The Deposit Protection Service (DPS).
- When we do not manage a tenanted property, or are instructed on a 'Tenant Find' only basis we will pass the relevant contact details between Landlord and Tenant, we will disclose Landlord's bank account details to the approved Tenant(s) in order for them to transfer rent.
- If you are a tenant renting under the 'Right to Rent' scheme we will collect details of your Biometric residence card, your immigration status document and/or your birth certificate to carry out our required checks under this scheme.
- Guarantor and permitted occupiers contact details will automatically be passed to a Landlord.

Whether information has to be provided by you, and why:

In order to comply with the current Home Office Right to Rent regulations, we are obliged to obtain from you, and also verify, copies of your photo identification, such as a valid passport or any documentation deemed an acceptable form of identification according to the current Home Office Right to Rent checklist of acceptable documentation. We will ask to see original documents, make our own copy, which we will then certify as a true copy of the original and which we will store on file in a locked cabinet. This proof of identity personal information must be provided by you to us, to enable us to comply with law, and we will inform you as to when you are required to provide this information to us.

Legal reasons we collect and use your personal information:

We rely on 'Consent' as the legal basis for processing your information.

Who will we share your personal information with:

We will also pass your details to the following organisation (our "data processors") who carry out certain activities on our behalf as part of us providing our services:

Letssafe – in order to undertake full tenant referencing, they will validate your identity by electronic means, confirm employment status, income or savings, current and previous addresses, current and previous landlords, a full credit check carried out electronically

We will also disclose your personal information to third parties:

- 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.
- When we have received your instruction to pass the letting of your property to another agent

- To enforce our terms and conditions
- When required by law and/or Government authorities
- When requested by The Property Ombudsman scheme or any other consumer ombudsman or trade association

- We will not share your personal information with any other third parties without your consent, other than as confirmed in this Privacy Policy/Notice.

Landlords and Tenants:

We have relationships with a number of third party contractors that from time to time we will need to share your name, address, telephone numbers and email address with to arrange to visit your rental property in order to comply with current legal requirements or to carry out a repair, service, safety check, assessment or any visit relating solely to the management of the rental property. Your details would only be passed on in these circumstances with your prior consent.

For details of these third parties contractors please contact us. This data sharing enables us to facilitate repairs/maintenance/safety inspection/etc., as efficiently as possible. We will never share your proof of identity documentation with these third parties.

Tenant Referencing is undertaken by Letssafe, and TAB Ltd will be required to provide to them the full name, contact telephone number and email address of all applicants (including guarantor if applicable) applying to rent the property. The Tenants provide their own employment information, NI number, next of kin, previous address and landlord details direct to Letssafe. Landlord and Letting Agent information where applicable will be passed to Letssafe.

Landlord and Tenant contact details will be passed to The Deposit Protection Service (DPS) in order to safeguard a tenant's indemnity deposit in accordance with current legislation applicable to England and Wales.

Landlord and Tenant details will be passed to the local authority in relation to Council Tax, to South West Water in relation to water supply and current gas and electric suppliers to the rental property being tenanted.

Transfer of your information outside the European Union (EU) / European Economic Area (EEA):

We are not aware of any reason where it may be necessary to transfer your personal information outside the EU/EEA or to an international organization. Should a request for such information be sent to us by a law enforcement agency we would only ever do so at the insistence of the UK's National Crime Agency.

How long will we store your personal data – Consent:

We are relying on your explicit consent to process and store your personal data in order that we can 'keep in touch' and from time-to-time provide you with property details and general market information. You provided this consent either when you initially registered with us or by confirming your consent prior to GDPR coming into force on 25 May 2018.

You have the right to withdraw this consent at any time, but this will not affect the lawfulness of any processing activity we have carried out prior to you withdrawing your consent. You can opt-out by emailing us at: enquiries@torbayaccommodation.co.uk or by writing to: Data Protection Officer, Torbay Accommodation Bureau Limited, Suite 15 Castle Circus House, 136 Union Street, Torquay, Devon TQ2 5QG.

We will retain your personal data for different periods of time depending on the service you have chosen to use us for, and which may be for a longer period than that for which we need to hold your data to provide those services, i.e. where we are under a regulatory or statutory duty to hold your data for a longer period or need to retain it in the event of a legal claim or complaint.

In addition to this we will also store your data as follows:

When you are the applicant / tenant of a property that we are letting, the length of time that we will retain your personal information is as follows

60 days after the date the relationship has ended	When you view properties with us and you do not make an offer to rent or you make an offer to rent which is not accepted.
As long as is reasonably necessary after the date the relationship has ended and for the purposes set out in this privacy notice, and to fulfil our legal and regulatory obligations	When you have viewed a property with us and you make an offer to rent which is accepted but the tenancy does not conclude
As long as is reasonably necessary after the date the relationship has ended and for the purposes set out in this privacy notice, and to fulfil our legal and regulatory obligations – The Property Ombudsman states a term of 6 years.	When you have viewed a property with us, made an offer to rent and subsequently moved in to the property as a tenant

Links to other Websites

Our website provides information about other websites for your convenience and information. These operate independently from us and will have their own privacy notices or policies, which we strongly suggest you review. Where linked websites are not owned or controlled by us, we are not responsible for their content or data privacy practices.

Your Rights:

Under the General Data Protection Regulation, you have a number of important rights that you can exercise free of charge. In summary, these rights are:

- Transparency over how we use your personal data and fair processing of your information;
- Access to your personal information and other supplementary information;
- Require us to correct any mistakes or complete missing information we hold on you;
- Require us to erase your personal information in certain circumstances;
- Receive a copy of the personal information you have provided to us or have this information be sent to a third party, this will be provided to you or the third party in a structured, commonly used and machine readable format;
- Object at any time to processing of your personal information for direct marketing;
- Object in certain other situations to the continued processing of your personal information;
- Restrict our processing of your personal information in certain circumstances;

If you want more information about your rights under the GDPR please see the Guidance from the Information Commissioners Office:

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

If you want to exercise any of these rights, please:

- Email, 'phone or write to our Data Protection Officer (see '**Get in touch**' below).
- Please be prepared to provide additional information so that we can identify you, and we are very likely to contact you to request further information to verify your identity. For security reasons we must be sure it is you who are requesting the right or rights that you wish to exercise.

We will respond to you within one month from when we receive your request.

How to make a complaint:

We hope that you are happy with our service and that our Data Protection Officer can resolve any issues or complaints that arise. Please get in touch if you have any concerns (see '**Get in touch**' below).

The General Data Protection Regulation also gives you the right to lodge a complaint with a supervisory authority, in particular in the European Union (or European Economic Area) this will be in

the country/state where you work, normally live or where the alleged infringement of data protection laws occurred. The UK supervisory authority is the Information Commissioner's Office who can be contacted at <https://ico.org.uk/concerns/>

Our Security

The security of information is very important to us and we have measures in place which are designed to prevent unauthorized access to your personal information. These include, but are not limited to: Electronic data files are stored in two ways – the first being on a UK “cloud” based secure client management system and the second being stored on a secure server in the South-West of England. Hard copy files are kept to a minimum and are stored in locked cabinets before being securely destroyed.

Our use of cookies

A cookie is a small file placed on your device when you visit a website that can be understood by the site that issued the cookie. We use the information collected by cookies to remember who you are and to store your preferences when using a particular site. It may contain a unique identifier to ensure that you are not shown the same information and/or are only shown information you have stated that you are interested in. A cookie records your preferences when using a particular site, ensuring that you are not shown the same information and/or are only shown information you have stated that you are interested in. In order to use the Site you agree to let cookies be saved as they are an important part of navigation of the Site.

The following are examples of information we may collect:

- Information about your device browser and operating system
- Your internet protocol (IP) address assigned to your internet service
- The web pages you visit on our websites
- Any embedded links you view

We also use the cookie to allow you to populate the Enquiry page of the site. This will store some personal information (e.g. first name, last name, email address, phone number) that may be used should you need to fill out an enquiry form. This information is removed if you leave the site or when your session expires.

Third party cookies used on the site

We may use cookies, tracking pixels and similar technologies on our website to gather data about our visitors' use of our website. We use this data to improve your experience of our website, to analyse the visitors' use of the site and to provide you with relevant, interest-based marketing.

We use Google Analytics to provide us with information about your visit to our website. We do this in order to help improve our website service to customers.

Their cookies typically store anonymous aggregated information such as whether a visitor has been to the site before, and the time of the current visit.

We or our third party advertisers may also use cookies to monitor the effectiveness of advertising on the site.

Future Processing

We do not intend to process your personal information for any reason other than stated within this privacy notice. If this changes, we will inform you by email.

Changes to this privacy notice

This Privacy Notice was published on 22nd May 2018. We constantly review our internal privacy practices and this policy will be reviewed as a minimum, six-monthly and we may change this policy from time to time. When we do, we will inform you by email.

Get in touch

If you have any questions about this privacy notice or the information we hold about you, please contact our Data Protection Officer on 01803292987 or email: enquiries@torbayaccommodation.co.uk