**AGENT Privacy Notice FOR Tenants & Guarantors**

**Data controller:** (Name of Agent) and (Contact information for the agent)

1. **Introduction**

(Name of Agent) is hereinafter referred to as “us”, “we”, and “our” It is a “data controller”. We are responsible for deciding how we hold and use your personal information.

(Name of agent) (“The Agent”) collects, stores, and processes personal data relating to tenants and guarantors for purpose of property lettings. This privacy notice shows how we collect and use personal data about you before, during, and after a lease.

We are committed to protecting the privacy and security of your personal data, being clear and transparent about how it collects and uses that data, and meeting our data protection obligations.

1. **Data Protection Principles**We will comply with data protection law. This means that the personal data we hold about you must be:
* Used lawfully, fairly and in a transparent way;
* Collected only for valid purposes that we have explained to you clearly and not used in any way that is incompatible with these purposes;
* Relevant to the purposes we have told you about and limited to those purposes only;
* Accurate and kept up to date;
* Kept only for such time as is necessary for the purposes we have told you about; and
* Kept securely.
1. **What Information do we Collect and Process?**

We collect and process a range of personal data about you & your business. Personal data means any information about an individual or business from which the person or business can be identified, which includes:

* Identity and personal contact details, such as your name, title, address, email address, telephone number, date of birth, national insurance number, and car registration;
* Background information such as previous agent details, employer details, and accountant details;
* Bank account details, bank references, and credit check results;
* Lease details, including rent reviews, renewals, joint tenants, other occupiers and guarantors;
* Rent deposit information (if applicable), including return on lease termination;
* Rent and utilities payment records;
* Recovery of arrears, claims, or proceedings to obtain possession;
* Repair and health and safety records;
* Breach of lease terms/complaints;
* Business Rates and utilities records;
* Notices and correspondence regarding lease termination;
* CCTV and audio recordings (if any); and
* General correspondence in all formats (letters, emails, text messages, etc).

We may also collect, store and use the following special categories of more sensitive personal data (known as “special category personal data”):

* Information about medical or health conditions, including whether or not you have a disability for which the agent needs to make adaptations; and
* Equal opportunities monitoring information, including your ethnic origin, sexual orientation, health, and religion or belief.

We collect this information in various ways. Personal data is collected through the tenancy/lease application process and correspondence during the tenancy/lease term. We also generate rent payment records.

In some cases, we collect personal data about you from third parties, such as:

* References supplied by former agents or landlords, employers, and personal referees;
* Information from credit reference agencies;
* Other tenants, occupiers, or neighbours;
* Guarantors;
* Local authorities;
* The police or other law enforcement agencies;
* Department for Work and Pensions
* Utility companies or service providers;

Personal data is stored in various places, including paper files and the Agent’s IT systems (including the agent's email system).

1. **Situations in Which We Will Use Your Information**

Situations in which we will process your personal information are listed below:

* To verify the identity of a proposed tenant/occupier;
* To decide on the suitability of a proposed tenant/occupier;
* To assess the financial standing/suitability of a proposed tenant/occupier;
* To deal with joint tenants and occupiers who are linked to the lease;
* To secure payment of rent and performance of tenant obligations;
* To collect rent and other payments;
* To keep accurate records relating to the agent’s rental business;
* To arrange repairs and maintenance of the property;
* To recover debts and/or obtain possession of a property;
* To ensure Council Tax and utilities charges are billed and paid appropriately;
* To address health and disability issues relating to tenants/occupiers;
* To create and keep audio and CCTV recordings;
* To provide information to public or local authorities who are legally entitled to require this information;
* To contact next of kin or close relatives in case of emergency;
* To store emails, records of calls, and other communications;
* To comply with legal and regulatory requirements;
* To bring and defend legal claims; and
* To prevent, detect, and investigate crime and anti-social behaviour.
1. **Why do we Process Personal Data?**

We must process personal data to consider lease applications and manage the contractual relationship with tenants.

In addition, we need to process personal data to ensure we comply with our legal obligations.

In other cases, we have a legitimate interest in processing personal data before, during, and after the end of the Agent/tenant/landlord relationship.

1. **If You Fail to Provide Personal Information**

If you do not provide certain information when requested, the agent may be unable to proceed with the lease grant.

1. **Change of Purpose**

The Agent will only use your data for the purposes for which it was collected unless we reasonably consider that we need to use it for another reason, and that reason is compatible with the original purpose(s). If we need to use your personal data for an unrelated purpose, we will advise you and explain the legal basis.

You should be aware that we may process your data without your knowledge or consent where this is required or permitted by law.

1. **Use of Sensitive Personal Information**

Some special categories of personal data, such as information about health or medical conditions, are processed to comply with legal obligations (for example, about tenants/occupiers with disabilities and for health and safety purposes).

1. **For How Long Do We Keep Data?**

We will only hold your personal data for as long as is necessary to fulfil the purposes we collected it for, including any legal, accounting, or reporting requirements. The period for which your data is held after the end of a tenancy/lease is ( Seven years). The period your personal data is held following an unsuccessful lease application is (7 Years).

1. **Who is Information Shared With?**

The landlord and agent will share your personal data, including with (list any other person[s]).

We also share your data with third parties where required by law, where it is necessary to administer the relationship with you, or where we have another legitimate interest. Information can be shared with:

* Professional advisers, including solicitors and accountants;
* Letting/managing agents;
* Freeholder and/or their managing agent (for leasehold properties);
* Existing or previous Agents;
* Existing or previous employers;
* Credit referencing agencies;
* Debt collectors and tracing services;
* Local authorities and government/public bodies;
* Professional body/regulator/Ombudsman/redress schemes;
* Courts/Tribunals;
* Police/enforcement agencies;
* Internet service providers;
* Banks/building societies;
* Tenant’s/occupier’s next of kin or close relatives in case of emergency;
* Joint tenants and other occupiers;
* Guarantors;
* Third-party holders of a rent deposit;
* H.M. Revenue and Customs;
* Business Rates authority;
* Contractors and tradespeople providing services at the property;
* Prospective purchasers of property;
* Other agents, including where you apply to another agent for a tenancy/lease.

We will store or transfer your personal data in or to countries outside of the UK. These are known as “third countries”. We will take additional steps to ensure that your data is treated as safely and securely as it would be within the UK.

1. **How Do We Protect Personal Data?**

We take the security of your personal data seriously. We have internal policies and controls to prevent your personal data from being lost, accidentally destroyed, misused, or disclosed. Details of these measures are available on request.

When we engage third parties to process personal data on its behalf, they do so based on written instructions, are under a duty of confidentiality, and are obliged to implement appropriate technical and organisational measures to ensure data security.

1. **Your Duty to Inform Us of Changes**

The personal data we hold about you must be accurate and current. Please inform us if your personal data changes during the lease application or lease term.

1. **Your Rights**

As a data subject, you have several rights. You can:

* access and obtain a copy of your data on request (known as a “data subject access request”);
* require us to change incorrect or incomplete data;
* request the erasure of your personal data. This enables you to ask us to delete or stop processing your data, for example, where the data is no longer necessary for processing;
* object to the processing of your data where we rely on its legitimate interests as the legal ground for processing; and
* ask us to suspend the processing of your personal data for a period of time if the data is inaccurate or there is a dispute about its accuracy or the reason for processing it.

If you would like to exercise any of these rights or have any questions about the privacy notice, please contact (Name, contact information).

You can complain to the Information Commissioner's Office if you believe we have not complied with your data protection rights.

**I acknowledge receipt of the Privacy Notice for Tenants and Guarantors and confirm that I have read and understood it.**

Name……………………………………………………………………………

Company Name……………………………………………………………….

Signature……………………………………………………………………….

Position …………………………………………

Date……………………………………………………………………………..