

# ELLIOT OLIVER SALES & LETTINGS - Privacy Notice



Elliot Oliver Sales & Lettings is committed to protecting and processing your personal data in accordance with the General Data Protection Regulations and the Data Protection Act 2018 (the legislation). For the purpose of the legislation and your personal data, Elliot Oliver Sales & Lettings, is the Data Controller, Justin Lawrence is the person responsible for data protection and can be contacted at 101 The Promenade, Cheltenham Glos GL50 1NW

The General Data Protection Regulations are to safeguard your personally identifiable information or personal data. This privacy notice will be regularly reviewed and updated.

## Information held

The personal data we process may include the information in column A of the attached appendix and may also include other sensitive data concerning health, if relevant to your application. Where the provision of data is a statutory, a contractual requirement or a requirement necessary to enter into a contract, a refusal to provide the data may mean that we are unable to provide you with our service.

To ensure that we provide you with the best service possible we will need to collect and retain certain personal data. The data may be collected and processed by those listed in columns B and F. How we source the data is identified in column C. We may source data from 3<sup>rd</sup> parties or via third parties e.g. Credit referencing company.

## Lawful basis of processing

Your personal data will be used for the activities in column D. There are 6 lawful basis of processing your data including consent, a legitimate interest, contract fulfilment, a legal obligation and a vital interest. For each usage of the data the lawful basis of the processing of your data will be identified in column E. A legitimate interest is when we have a business or commercial reason to process your personal data which needs to be balanced with your interests i.e. what is right and best for you.

Where we state that we have a legitimate interest, the fact that we have a legitimate interest and what that legitimate interest is, will be stated in column E, e.g. to keep in touch with you during the pre-tenancy process; to seek your consent when we need it to contact you; fulfilling our legal and contractual duties.

## Online identifiers, IP addresses and cookie identifiers

Where you visit our website we may collect information about your computer, including where available your IP address, operating system and browser type, for system administration and to report aggregate information to our advertisers. This is statistical data about our users' browsing actions and patterns.

We may obtain information by using a cookie file which is stored on the hard drive of your computer. Cookies contain information that is transferred to your computer's hard drive. They help us to improve our site and to deliver a better and more personalised service. They enable us:

- To estimate our audience size and usage pattern.
- To store information about your preferences, and so allow us to customise our site according to your individual interests.
- To speed up your searches.

- To recognise you when you return to our site.

You may refuse to accept cookies by activating the setting on your browser which allows you to refuse the setting of cookies. However, if you select this setting you may be unable to access certain parts of our site. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you log on to our site. You can find more information about cookies at [www.allaboutcookies.org](http://www.allaboutcookies.org)

This policy only applies to our site. If you leave our site via a link or otherwise, you will be subject to the privacy policy of that website provider. We have no control over that privacy policy or the terms of the website and you should check their privacy policy before continuing to access the site.

## **Recipients of personal data**

It will be necessary for us to process or share all or some of your personal data with a range of individuals, businesses and organisations and these may include those listed in column F.

## **Where is the data stored?**

Your personal data is stored in the way described in column G and the data is always stored within the European Union or outside of the European Union but with an organisation operating under the General Data Protection Regulations.

## **Retention period and criteria used to determine the retention period**

We will retain some elements of your personal data for up to the time defined in column H after the application process. What information can be anonymized will be when no longer required for either contractual fulfilment or a legitimate interest. If the lawful basis for processing your data was consent then you may withdraw consent at any time.

## **Your rights**

You have a right of access to check your personal data to verify the lawful basis of processing. We are obliged to respond to an access request within 30 days and may not charge a fee unless the request is unfounded, excessive or repetitive. If a fee is charged it is to be a reasonable fee based upon the administrative cost of providing the information.

You have a right to rectification if the data we hold is either inaccurate or incomplete. If your data has been disclosed to third parties then we must inform them of the rectification, where possible.

You have a right to erasure of your data when consent is our basis of processing (the right to be forgotten). You may request that your personal data be erased, for example, where there is no compelling reason for its continued processing or where you withdraw consent. We will comply with your request unless we have another basis of processing justifying our retaining the data (for example a legal requirement or the defence of a legal claim).

You have some rights to ask us to restrict processing i.e. to block or suppress processing where, for example, the data may be incorrect and whilst the accuracy is verified. We are permitted to store the data.

## **Your right to object**

You do have a right to object to further processing of your personal data. We may be required to stop processing unless there is some other legitimate basis of processing such as a legitimate interest or a requirement for the exercise or defence of a legal claim.

## **Withdrawal of consent**

Where the lawful basis for processing is your consent, you may withdraw consent at any time by writing to, Justin Lawrence Elliot Oliver Sales & lettings at 101 The Promenade, Cheltenham Glos GL50 1NW or emailing [georgy@elliottoliver.co.uk](mailto:georgy@elliottoliver.co.uk)

## **How to lodge a complaint with the supervisory authority**

The supervisory authority responsible for data protection is the Information Commissioners Office (ICO) to whom concerns may be reported by phone on **0303 123 1113** or +44 1625 545 745 if calling from outside the UK, by email using the form on the website [ico.org.uk](http://ico.org.uk) or the livechat function.

Appendix A

A	B	C	D	E	F	G	H
Information held	Who is collecting it	How is it collected	Why is it collected	Lawful basis for processing	Who will it be shared with	How stored	When will it be deleted
Landlord Enquirer Name	Staff	Face to face, email, tel, 3rd party portal	To add to database	Consent	Internal staff only	back up / cloud / software	After 2yrs of last contact
			for contact for matching & marketing	Consent	Internal staff only	back up / cloud / software	After 2yrs of last contact
			To create application process	Consent	Internal staff only	back up / cloud / software	After 2yrs of last contact
			To create a landlord record	Consent	Tenants, credit ref agency, local authorities, utility providers	back up / cloud / software	After 6yrs end of contract
			To create application process	Consent	Tenants, credit ref agency, local authorities, utility providers	back up / cloud / software	After 6yrs end of contract
			To create Tenancy Agreement	Contractual Fulfilment	Tenants, credit ref agency, local authorities, utility providers	Paper / electronic / software	After 6yrs end of contract
			To add to TOB and Service agreement	Contractual Fulfilment	Tenants, credit ref agency, local authorities, utility providers	Paper / electronic / software	After 6yrs end of contract
Landlord Enquirer contact details	Staff	Face to face, email, tel, 3rd party portal	To add to database	Consent	Internal staff only	back up / cloud / software	After 2yrs of last contact

			for contact for matching & marketing	Consent	Internal staff only	back up / cloud / software	After 2yrs of last contact
			To create application process	Consent	Internal staff only	back up / cloud / software	After 6yrs end of contract
			To create a landlord record	Consent	Tenants, credit ref agency, local authorities, utility providers	back up / cloud / software	After 6yrs end of contract
			To create application process	Consent	Tenants, credit ref agency, local authorities, utility providers	back up / cloud / software	After 6yrs end of contract
			To create Tenancy Agreement	Contractual Fulfilment		Paper / electronic / software	After 6yrs end of contract
			To add to TOB and Service agreement	Contractual Fulfilment	Tenants, credit ref agency, local authorities, utility providers	Paper / electronic / software	After 6yrs end of contract
Landlord Name & Contact info	Staff	Service Agreement/ Face to Face / email / Tel		Contractual Fulfilment	Internal staff only	Paper / electronic / software	After 6yrs end of contract
	Staff	Service Agreement/ Face to Face / email / Tel	To add to database	Contractual Fulfilment	Internal staff only	Paper / electronic / software	After 6yrs end of contract
	Staff	Service Agreement/ Face to Face / email / Tel	To create Tenancy Agreement	Contractual Fulfilment	Internal staff only, Tenants where rqd	Paper / electronic / software	After 6yrs end of contract
	Staff	Service Agreement/ Face to Face / email / Tel	To create a landlord record	Contractual Fulfilment	Internal staff only	Paper / electronic / software	After 6yrs end of contract

	Staff	Service Agreement/ Face to Face / email / Tel	To provide to tenants if Intro only	Contractual Fulfilment	Internal staff only, Tenants	Paper / electronic / software	After 6yrs end of contract
	Staff	Service Agreement/ Face to Face / email / Tel	To provide to contractors	Contractual Fulfilment	Internal staff, contractors	Paper / electronic / software	After 6yrs end of contract
Landlord Bank Details	Staff	Service Agreement/ Face to Face / email / Tel	To create a landlord ledger	Contractual Fulfilment	Internal staff only	Paper / electronic / software	After 6yrs end of contract
Landlords ID	Staff	Face to face, email, paper	for anti money laundering, compliance	Legal work	Internal staff only, authorities if required	Paper / electronic / software	After 6yrs end of contract
Landlords Proof of ownership	Staff	Face to face, email, paper	for anti money laundering, compliance	Legal work	Internal staff only, authorities if required, credit ref agency	Paper / electronic / software	After 6yrs end of contract
Landlord References	Staff	Service Agreement/ Face to Face / email / Tel / Credit Check agency	for anti money laundering, compliance	Contractual Fulfilment	Internal staff only, authorities if required	Paper / electronic / software	After 6yrs end of contract

Tenant name	Staff	In office, phone, email, self-registration, application form	To use on contract	Contract fulfilment	Landlord, staff, local authority & utilities, contractors,	Paper / electronic / software	6 years end of tncy
			Add to software	Contract fulfilment	Staff, landlord	Paper / electronic / software	6 years end of tncy
			Referencing	Contract fulfilment	Ref agcy, Employer, landlord	Paper / electronic / software	6 years end of tncy

			Contact purposes	Contract fulfilment	Contractors, staff, landlord	Paper / electronic / software	6 years end of tncy
			To use on prescribed information	Legal obligation	Deposit scheme, landlord	Paper / electronic / software	6 years end of tncy
			To offer extra services - insurance	Consent	3rd party companies	Paper / electronic / software	6 years end of tncy
			If legal action is needed	Legal work	Solicitor, Court Services, Landlord	Paper / electronic / software	6 years end of tncy
Tenant contact details	Staff	In office, phone, email, self-registration, application form	To use on contract	Contract fulfilment	Landlord, staff, local authority & utilities, contractors,	Paper / electronic/ software	6 years end of tncy
			Add to management software	Contract fulfilment	Staff, Contractors, Software provider	Software	6 years end of tncy
			Referencing	Contract fulfilment	Staff Credit check Co., Employers, current landlord, referencing co.	Paper / electronic/ software	6 years end of tncy
			To be able to contact tenant e.g. property management	Contract fulfilment	Contractors, staff,	Paper / electronic/ software	6 years end of tncy
			To use in prescribed information	Legal obligation	Staff, Deposit scheme, relevant person	Paper / electronic/ software/DPS	6 years end of tncy
			To offer extra services	Consent	staff, 3rd party	Paper / electronic / software	6 years end of tncy

			If Legal action is needed, for example possession claim	Legal Work	Staff, Landlord, Solicitors, Court Services	Paper / electronic / software	6 years end of tncy
			Notify utilities & council tax	Contract fulfilment	Council Tax & tenant sop, utility company, landlord	Paper / electronic / software	6 years end of tncy
Tenant Employer information	Staff	In office, phone, email, self-registration, application form	Referencing & assessment	Contract fulfilment	Staff, Credit check Co., landlord, referencing co.	Paper / electronic / software	6 years end of tncy
Tenant's current landlord information	Staff	In office, phone, email, self-registration, application form	Referencing & assessment	Contract fulfilment	Staff, Credit check Co., landlord, referencing co.	Paper / electronic / software	6 years end of tncy
Tenant Next of Kin details	Staff	In office, phone, email, self-registration, application form	Contact in case of emergency alternative correspondence address	Legitimate interest	Staff, Public bodies	Paper / electronic / software	6 years end of tncy
Tenant bank details	Staff	In office, phone, email, self-registration, application form	Setting up standing orders	Contract fulfilment	Staff, landlord	Paper / electronic / software	6 years end of tncy
Tenant's Children details	Staff	In office, phone, email, self-registration, application form	To identify permitted occupiers to include on tenancy agreement	Contract fulfilment	Staff, landlord	Paper / electronic / software	6 years end of tncy
Credit score results, history	Credit Check Co./staff	Email, online, hardcopy	To assess suitability	Contract fulfilment	Staff, landlord, referencing co	Paper / electronic / software	6 years end of tncy



Other returned references	Credit Check Co./staff	Email, online, hardcopy	To assess suitability	Contract fulfilment	Staff, landlord, referencing co	Paper / electronic / software	6 years end of tncy
Tenant passport or ID documents	Staff	Photocopy /scan / face to face	To comply with right to rent checks	Legal obligation, contract fulfilment	Staff, landlord, Home Office	Paper / electronic / software	6 years end of tncy
Guarantor Name & Contact Information	Staff	In office, over the phone, email, self-registration, tenant application form	To use on contract & Deed of Guarantee	Contractual Fulfilment	Landlord, staff, tenants	Paper / electronic / software	6 years after tenant leaves
	Staff	In office, over the phone, email, self-registration, tenant application form	Add to property software	Contractual Fulfilment	Landlord, staff, tenants,	Paper / electronic / software	6 years after tenant leaves
	Staff	In office, over the phone, email, self-registration, tenant application form	In order for us to contact the guarantor(S)	Contractual Fulfilment	Landlord, staff, tenants, local authority	Paper / electronic / software	6 years after tenant leaves
	Staff	In office, over the phone, email, self-registration, tenant application form	Referencing	Contractual Fulfilment	Landlord, staff, tenants,	Paper / electronic / software	6 years after tenant leaves
	Staff	In office, over the phone, email, self-registration, tenant application form	For use on prescribed information	Contractual Fulfilment	Landlord, staff, tenants, DPS	Paper / electronic / software	6 years after tenant leaves
	Staff	In office, over the phone, email, self-registration, tenant application form	If legal action is needed	Legal Work	Landlord, staff, tenants, local authority, Solicitors or Debt Recovery agent	Paper / electronic / software	6 years after tenant leaves
	Staff	In office, over the phone, email, self-registration, tenant application form	To chase rent arrears	Contract fulfilment	Landlord, staff, tenants, local authority, Solicitors or Debt Recovery agent	Paper / electronic / software	6 years after tenant leaves

	Staff	In office, over the phone, email, self-registration	To offer extra services	Consent	Contractors, Insurance, 3rd parties	Paper / electronic / software	6 years after tenant leaves
	Staff	In office, over the phone, email, self-registration,	To provide details to contractor	Contract fulfilment	Staff, tenants, contractors	Paper / electronic / software	6 years after tenant leaves
	Staff	In office, over the phone, email, self-registration	To chase rent arrears	Contract fulfilment	Staff	Paper / electronic / software	6 years after tenant leaves
Guarantor Credit score results, history	Credit Check Co./staff	Email or online, hardcopy	To assess suitability	Contract fulfilment	Staff, landlord, referencing co	Paper / electronic / software	6 years after tenant leaves
Guarantor references	Credit Check Co./staff	Email, online, hardcopy	To assess suitability	Contract fulfilment	Staff, landlord, referencing co	Paper / electronic / software	6 years after tenant leaves
Permitted Occupier Name	Staff	In office, phone, email, self-registration, application form	to add to database	Contract fulfilment	Landlord, staff, tenants	Paper / electronic / software	6 years after agreement
			to use on Tenancy agreement	Contract fulfilment	Landlord, staff, tenants	Paper / electronic / software	6 years after agreement
Permitted Occupier ID	Staff	Email, Face to face, paper	to add to property file for compliance	Contract fulfilment	Landlord, staff, tenants	Paper / electronic / software	6 years after agreement
Power of Attorney Name, Address & Contact Info	Staff	Email, Face to face, paper	to add to database	Contract fulfilment	Landlord, staff, tenants	Paper / electronic / software	6 years after agreement

Power of Attorney Document	Staff	Email, Face to face, paper	to add to landlord property file	Contract fulfilment	Landlord, staff, tenants	Paper / electronic / software	6 years after agreement
Power of Attorney ID	Staff	Email, Face to face, paper	to check ID on POA document	Contract fulfilment	Landlord, staff, tenants	Paper / electronic / software	6 years after agreement
Applicant Name	Staff	Face to face, email, tel	To add to database	Consent	Staff, landlords,	back up / cloud / software	6yrs
			To be able to contact app.	Consent	Staff, landlords	back up / cloud / software	2yrs
			To give to landlord	Consent	Staff, landlords	back up / cloud / software	2yrs
			To create a tenant record	Contractual Fulfilment	Staff, landlords	back up / cloud / software	2yrs
			To create application process	Contractual Fulfilment	Staff, landlords	back up / cloud / software	2yrs
			To create Tenancy Agreement	Contractual Fulfilment	Staff, landlords, ref agency	Paper / electronic / software / Credit ref agency	6yrs aft tncy
			To carry out Right to Rent checks	Legal obligation	Staff, landlords, ref agency	Paper / electronic / software / Credit ref agency	6yrs aft tncy
Applicant contact info	Staff	Face to face, email, tel	To add to database	Consent	Staff, landlords	back up / cloud / software	2yrs

			To be able to contact app.	Consent	Staff, landlords	back up / cloud / software	2yrs
			To give to or discuss with landlord	Consent	Staff, landlords	back up / cloud / software	2yrs
			To send marketing details to	Consent	Staff, landlords	back up / cloud / software	2yrs
			To create a tenant record	Consent	Staff, landlords	back up / cloud / software	6yrs aft tncy
			To create application process	Consent	Staff, landlords	back up / cloud / software	6yrs aft tncy
			To create Tenancy Agreement	Contract fulfilment	Staff, landlords	Paper / electronic / software/back up/ cloud	6yrs aft tncy
			To carry out Right to Rent checks	Legal obligation	Staff, landlords, ref agcy	Paper / electronic / software/back up/ cloud	6yrs aft tncy
			Referencing	Contract fulfilment	Staff, landlords, ref agcy	Paper / electronic / software/back up/ cloud	6yrs aft tncy
			Referees privacy	Contract fulfilment	Staff, landlords, ref agcy	Paper / electronic / software/back up/ cloud	6yrs aft tncy
Contractor Name	Staff	Face to face, email, tel	To add to database	Consent	Staff, landlords, tenants, 3rd party	Paper / electronic / software	6 Yrs after agreement concluded

			To be able to contact contactor	Consent	Staff, landlords, tenants, 3rd party	Paper / electronic / software	6 Yrs after agreement concluded
			To give details to tenant	Contract fulfilment	Staff, landlords, tenants, 3rd party	Paper / electronic / software	6 Yrs after agreement concluded
Contractor contact details	Staff	Face to face, email, tel	To add to database	Contract fulfilment	Staff, landlords, tenants, 3rd party	Paper / electronic / software	6 Yrs after agreement concluded
			To contact contractor	Contract fulfilment	Staff, landlords, tenants, 3rd party	Paper / electronic / software	6 Yrs after agreement concluded
			To send worksheets	Contract fulfilment	Staff, landlords, tenants, 3rd party	Paper / electronic / software	6 Yrs after agreement concluded
			To process payments	Contract fulfilment	Staff, landlords, tenants, 3rd party	Paper / electronic / software	6 Yrs after agreement concluded
			To create contract	Contract fulfilment	Staff, landlords, tenants, 3rd party	Paper / electronic / software	6 Yrs after agreement concluded
			To give details to tenant	Contract fulfilment	Staff, landlords, tenants, 3rd party	Paper / electronic / software	6 Yrs after agreement concluded
			To give details to Landlord	Contract fulfilment	Staff, landlords, tenants, 3rd party	Paper / electronic / software	6 Yrs after agreement concluded
			Referencing	Contract fulfilment	Staff, landlords, tenants, 3rd party	Paper / electronic / software	6 Yrs after agreement concluded

			Referees privacy	Contract fulfilment	Staff, landlords, tenants, 3rd party	Paper / electronic / software	6 Yrs after agreement concluded
Contractors Insurance Cover	Staff	Face to face, email, tel	To provide to Landlord or Tenant	Contract fulfilment	Staff, landlords, tenants, 3rd party	Paper / electronic / software	6 Yrs after agreement concluded
Contractors Safety Registration	Staff	Face to face, email, tel, application form	To provide to Landlord or Tenant	Contract fulfilment	Staff, landlords, tenants, 3rd party	Paper / electronic / software	6 Yrs after agreement concluded
Leasehold Name & Contact Info	Staff/Property Owner	Face to face, email, tel, application form	To add to database	Consent	Staff, landlords, tenants, 3rd party	Paper / electronic / software / cloud	6 Yrs after agreement concluded
			To be able to contact Leaseholder	Contract fulfilment	Staff, landlords, tenants, 3rd party	Paper / electronic / software / cloud	6 Yrs after agreement concluded
			To send worksheets	Contract fulfilment	Staff, landlords, tenants, 3rd party	Paper / electronic / software / cloud	6 Yrs after agreement concluded
			To process payments	Contract fulfilment	Staff, landlords, tenants, 3rd party	Paper / electronic / software / cloud	6 Yrs after agreement concluded
			To give details to tenant	Contract fulfilment	Staff, landlords, tenants, 3rd party	Paper / electronic / software / cloud	6 Yrs after agreement concluded

			To give details to Landlord/ Property Owners	Contract fulfilment	Staff, landlords, tenants, 3rd party	Paper / electronic / software / cloud	6 Yrs after agreement concluded
			To give details to insurers	Contract fulfilment	Staff, landlords, tenants, 3rd party	Paper / electronic / software / cloud	6 Yrs after agreement concluded
			To give details to contractors	Contract fulfilment	Staff, landlords, tenants, 3rd party	Paper / electronic / software / cloud	6 Yrs after agreement concluded
Solicitors	Staff/Vendor/ Purchasers	Face to face, email, tel, application form	To add to database	Legal Work	Staff, landlords, tenants, 3rd party	Paper / electronic / software / cloud	6 Yrs after agreement concluded
			To be able to contact solicitors	Legal Work	Staff, landlords, tenants, 3rd party	Paper / electronic / software / cloud	6 Yrs after agreement concluded
			To process payments	Legal Work	Staff, landlords, tenants, 3rd party	Paper / electronic / software / cloud	6 Yrs after agreement concluded
			To give details to Vendors/ Purchasers	Legal Work	Staff, landlords, tenants, 3rd party	Paper / electronic / software / cloud	6 Yrs after agreement concluded
			To give details to Landlord/ Property Owners	Legal Work	Staff, landlords, tenants, 3rd party	Paper / electronic / software / cloud	6 Yrs after agreement concluded
			To give details to insurers	Legal Work	Staff, landlords, tenants, 3rd party	Paper / electronic / software / cloud	6 Yrs after agreement concluded

			To give details to contractors	Legal Work	Staff, landlords, tenants, 3rd party	Paper / electronic / software / cloud	6 Yrs after agreement concluded
Applicant Name for employment	Management, HR	Email/paper	CV Retention	Consent	Management/HR	Paper, Electronic	1 Yrs after application
	Recruitment Agency	Email / Electronic	Application process	Consent	Management/HR	Paper, Electronic	1 Yrs after application
Employee Name	Management, HR	Face to face, email, tel, application form	To add to contract	Contract fulfilment	Management/HR	Paper, Electronic	6 Yrs after employment ceases
Bank Details	Management, HR	Face to face, email, tel, application form	To make payments	Contract fulfilment	Management/HR	Paper, Electronic	6 Yrs after employment ceases
Performance records	Management, HR	Face to face, email, tel,	To monitor progress	Contract fulfilment	Management/HR	Paper, Electronic	6 Yrs after employment ceases
Employee Contact Info	Management, HR	Face to face, email, tel, application form	To contact employee	Contract fulfilment	Management/HR	Paper, Electronic	6 Yrs after employment ceases
Employee Next of Kin	Management, HR	Face to face, email, tel, application form	To contact in the event of an emergency	Legitimate Interest	Management/HR	Paper, Electronic	6 Yrs after employment ceases

3<sup>rd</sup> party portals include Rightmove, Zoopla, Elliot Oliver Website, Rooms to Rent, Prime Location, Property Software Group, Facebook any portals you have completed an application that maybe shared with us.