



## DUCHY *of* CORNWALL

### Tenant and Leaseholder Privacy Notice

We collect and process personal data relating to our tenants and leaseholders in order to manage the tenancy/leasehold relationship. We are committed to being transparent about how we collect and use that data in order to meet our data protection obligations.

#### **What information do we collect?**

We may collect and process a range of information about you. This may include:

- Your full name (and proof of your identity / photo ID),
- Date of birth or age,
- Contact details (phone, e-mail or correspondence address),
- Credit, employee and personal references,
- Details of anyone authorised to act on your behalf or next of kin, if applicable,
- Basic details (name and date of birth) of all household residents,
- Banking details if you pay your rent by Direct Debit,
- Proof of tenancy eligibility, any interest or equity in other property,
- Business information including grants, awards and agreements,
- Utility supplier details,
- Disabilities, health information or vulnerabilities about you, or your family members, that you or those with capacity to act for you explicitly inform us about,
- Biographical and related information that you may supply,
- Other personal information that will vary on a case by case basis.

We may collect this information in a variety of ways. For example, when you sign a contract, complete one of our forms, when you call, write, e-mail or meet with us.

We may receive information about you from third parties including:

- Your council or benefits office relating to your housing.
- Prior landlords, credit agencies and estate agents when you apply for housing.
- Police, welfare or support organisations dealing with you.
- Councillors, MPs or other representatives acting on your behalf/instruction.
- Financial institutions when you apply for our services.
- Charities where you apply for grants and awards.
- Utility suppliers.

Data will be stored in a range of different places, including in your tenancy or leaseholder file, in the estate's property management system and in other IT systems (including the estate's email system).

From time to time we will ask you for specific consent for processing data.

### **Why do we collect your information and how do we use it?**

We need to process personal data to enter into a tenancy or leasehold contract with you and to meet our obligations and exercise our rights under that contract. For example, we need to process your data to provide you with a tenancy/leasehold agreement and to administer services in relation to that tenancy/leasehold. This may include supporting applications for grants, awards and relevant third-party schemes.

In some cases, we need to process data to ensure that we are complying with our legal obligations. For example, we are required to identify and provide details to local authorities of vulnerable individuals who may be at risk in accordance with the Care Act 2014.

Other processing of your personal data is necessary for our 'legitimate interests', including our commercial interests in managing our properties and making them available to tenants and leaseholders, and from time to time altruistic interests in arranging special visits and nominating tenants and leaseholders for awards. For example, we may pass your data on to utility companies or Royal Households, as described below.

The information we require from you is used to manage your tenancy or leasehold agreement or other contract between you and the estate. We may process data in order to:

- Comply with relevant legislation and regulation.
- Identify you and your rights through checks. This may include checks on documents such as bank statements, payslips or income details, passport or driving licence when we require this information for processing a new agreement such as a house sale or purchase, a new tenancy or confirming a right to rent. It may include confirming your age and contacts in a case where there could be rights to pass on the tenancy to others including spouse/civil partner, children or close relatives.
- Manage your account charges and payments, including arrears.
- Manage the repairs, maintenance and alterations of our properties.
- Ensure tenancy (or contract) conditions are complied with, such as dealing with anti-social behaviour or fraud.
- Manage support relating to disabilities, health or vulnerabilities. We use this information to better tailor our communications and services with you and take account of it when instructing contractors to visit and undertake work on the property you occupy. We may also require this information to support an application you may make to the community health authority for adaptations to be made to the property in which you reside.
- Manage information and support relating to business and grants, awards and related schemes. For example, we may receive and hold agricultural business details, including a Single Business Identifier (SBI), County Parish Holding Number (CPH), trading name or Environmental Stewardship Scheme agreements.
- Ensure utility bills are paid and information is provided to assist with transitioning service supplies between tenancies.
- Manage special visits including Royal visit.
- Nominate you for an award.

Some special categories of personal data, such as information about health or medical conditions are processed to carry out legal obligations in relation to vulnerable individuals, or where we have your specific or, where necessary, your explicit consent.

### **Who do we pass it to?**

We may need to share personal information with government departments and agencies, auditors, external valuers, debt collectors, utility companies or with other organisations and agencies where we are legally allowed to do so.

We share your data with third parties that process data on our behalf for the provision of IT systems and services and the maintenance of properties. In addition, we may pass on your details to third parties if they are undertaking activities that may impact on your property and where it is in your interests to be made aware. These may include passing your name and address to a third party that is working in or on your property or organising an event in your area where you may need to be informed about the timings of this event for safety purposes, e.g. hunts or forestry work.

Where you are involved in a Royal Visit, we may supply to the relevant Royal Household biographical information that you have provided us with, for example about your life and work.

On occasion we may be involved in nominations for awards which involve providing a reference or completing a nomination form relating to your achievements.

### **How do we protect your data?**

We take the security of your data seriously. We have internal policies and controls in place to try to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by our employees in the performance of their duties.

Where we engage third parties to process personal data on our behalf, we do so on the basis of written instructions, under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

### **How long do we keep it?**

We will hold your personal data for the duration of your contract. After the end of your contract your data will be kept in accordance with any business or legal requirements. Some of your personal data may then be transferred to the estate archive for historical reference. We often retain information regarding who has resided within a property or any significant alterations to that property. The remainder of the information will be confidentially destroyed.

### **What are my rights?**

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

- access and obtain a copy of your data on request;
- require us to change incorrect or incomplete data;
- require us to delete or stop processing your data subject to certain exemptions, for example where the data is no longer necessary for the purposes of processing;
- object to the processing of your data based on grounds relating to your specific situation;
- receive from us the personal data we hold about you which you have provided to us, in a reasonable format specified by you, including for the purpose of you transmitting that data to another data controller; and
- where our processing is based on your consent, you may withdraw that consent, without affecting the lawfulness of our processing based on consent before its withdrawal.

Please note that none of these rights are absolute and we may be entitled to refuse requests where exceptions apply.

### **What if you do not provide personal data?**

If you do not provide the information we need then we may not be able to provide all services to you, and ultimately you may not be able to hold a tenancy or lease with us, or sell or purchase a property through us.

### **Children's information**

We do not normally process children's information as part of a tenancy. However, we record children's basic information if they are resident in one of our properties, including their name and date of birth. This is required for checking the property is not overcrowded and to assess other tenancy management issues where all householders and ages are required to be known.

We may receive children's information if we are involved in the housing and tenancy aspects of a welfare case as part of a multi-agency working solution.

### **Automated decision-making**

Tenancy decisions are not based on automated decision-making.

### **Contact information and further advice**

The Secretary and Keeper of Records of the Duchy of Cornwall is the registered Data Controller with the Information Commissioner's Office.

If you would like to contact us please do so at:

The Data Protection Administrator, Duchy of Cornwall, 10 Buckingham Gate, London. SW1E 6LA.

If you have concerns about the use of your personal data, the Information Commissioner's Office is an independent body set up to uphold information rights in the UK. They can be contacted through their website: [www.ico.org.uk](http://www.ico.org.uk), or their helpline on 0303 123 1113, or in writing to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF