

## Guarantor Privacy Notice

**CHARLES ABBY LTD** 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, **CHARLES ABBY LTD** is the Data Controller, **JULIAN EMBLETON AND GRAHAM ABBY** are the people responsible for data protection and can be contacted at **29 BARTHOLOMEW STREET, NEWBURY, RG14 5LL, TEL: 01635 34707, Email: [properties@charlesabby.co.uk](mailto:properties@charlesabby.co.uk)**.

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 DATA AUDIT. 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 work with the tenant you are proposing to guarantee.

To ensure that we provide 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 third 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 six lawful bases for 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 this or any future tenancy.

### Online identifiers, IP addresses and cookie identifiers

When 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 your guarantor responsibilities end. The information which can be anonymized will be that which is 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 such 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 require 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, **JULIAN EMBLETON OR GRAHAM ABBY, CHARLES ABBY LTD** at **29 BARTHOLOMEW STREET, NEWBURY RG14 5LL** or emailing **[properties@charlesabby.co.uk](mailto:properties@charlesabby.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.

DATA AUDIT:

Data controller							
COLUMN A	COLUMN B	COLUMN C	COLUMN D	COLUMN E	COLUMN F	COLUMN G	COLUMN 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
Guarantor name	Staff	email, self-registration, Guarantor application form	To use on contract	Contract fulfillment	Landlord, staff,	Paper / electronic	6 years after tenant leaves
			Add to property management software	Contract fulfillment	Staff, Software provider	Software	During tenancy & 6 years beyond
			Referencing	Contract fulfillment	Credit check Co., Employer, referencing co.	paper / electronic	During tenancy & 6 years beyond
			To be able to contact Guarantor e.g. property management	Contract fulfillment	Staff	Software system	6 years after tenant leaves
			To use on prescribed information	Legal obligation	Staff, Deposit scheme, relevant person	Paper / electronic	6 Years after tenant leaves
			If legal action is needed	Legal work	Solicitor, Court Services	Paper / electronic	6 years after tenant leaves
Guarantor contact details	Staff	email, self-registration, Guarantor application form	To use on contract	Contract fulfillment	Landlord, staff	Paper / electronic	12 months after tenant leaves
			Add to management software	Contract fulfillment	Staff, Software provider	Software	6 years after tenant leaves
			Referencing	Contract fulfillment	Staff, Credit check Co., Employer, referencing co.	paper / electronic	12 months after tenant leaves
			To be able to contact Guarantor e.g. property management	Contract fulfillment	staff	Software system	6 years after tenant leaves
			To use in prescribed information	Legal obligation	Staff, Deposit scheme, relevant person	Paper / electronic	12 months after tenant leaves
			If Legal action is needed, for example late rent or possession claim	Legal Work	Solicitors, Court Services	Paper / electronic	6 years after tenant leaves
Guarantor Employer information	Staff	email, self-registration, Guarantor application form	Referencing & assessment	Contract fulfillment	Staff, Credit check Co., referencing co., employer	Paper / electronic	6 years after tenant leaves
Guarantor bank details	Staff	email, self-registration, Guarantor application form	Setting up standing orders	Contract fulfillment	Staff, landlord	Paper / electronic	12 months after tenant leaves
Credit score results, history	Credit Check Co.	Email or online	To assess suitability	Contract fulfillment	Staff, landlord	Paper / electronic	6 years after tenant leaves
Other returned references	Credit Check Co, agent	Email, online, hardcopy	To assess suitability	Contract fulfillment	Staff, landlord	Paper / electronic	6 years after tenant leaves
Guarantor passport or ID documents	Staff	Photocopy of original, face to face	To comply with right to rent checks	Legal obligation, contract fulfillment	Staff, landlord, Home Office	Paper / electronic	12 months after tenant leaves
Guarantor Accountant	Staff	email, self-registration, Guarantor application form	Referencing & assessment	Contract fulfillment	Staff, Credit check Co., landlord, referencing co., accountant	Paper / electronic	6 years after tenant leaves
Guarantor Mortgagee	Staff	email, self-registration, Guarantor application form	Referencing & assessment	Contract fulfillment	Staff, Credit check Co., landlord, referencing co., Mortgagee	Paper / electronic	6 years after tenant leaves
Guarantor NI number	Staff	email, self-registration, Guarantor application form	Referencing & assessment	Contract fulfillment/Legal obligation	Staff, Credit check Co., landlord, referencing co., potentially Debt Collection Agency	Paper / electronic	6 years after tenant leaves
Guarantor current, future and previous Address	Staff	email, self-registration, Guarantor application form	To use on contract	Contract fulfillment	Landlord, staff	Paper / electronic	6 years after tenant leaves
			To use in prescribed information	Legal obligation	Staff, Deposit scheme, relevant person	Paper / electronic	12 months after tenant leaves