

Data Protection Policy

Created 25th May 2018
Reviewed 25th May 2024



Policy Information

Organisation

Mr. Rhodri Thomas Jones is the Data Controller for and on behalf of Tudor Jones Properties. The Data Controller determines the purposes for which and the manner in which any personal data is processed / to be processed.

Scope of policy

This Data Protection Policy applies solely to Tudor Jones Properties which operates exclusively in the UK. Tudor Jones Properties has one branch and one Data Controller, Mr. Rhodri Thomas Jones.

Policy operational date

The start date of this Policy is 25th May 2018 and this policy is reviewed every 3 years.

Policy prepared by

Mr. Rhodri Thomas Jones

Policy review date

25th May 2027

Introduction

Purpose of the policy

This Data Protection policy is written and applied to Tudor Jones Properties in relation to personal information and data that is held and sought by Tudor Jones Properties for the purposes as stated in our Fair Processing Notice. Tudor Jones Properties are required by law to write and publish this Data Protection Policy to ensure that we as an organisation follow the law and good practice in protecting our clients, customers and tenants who use our services.

Types of data

Tudor Jones Properties hold a variety of personal information and data. For tenants, these are:

- Your full name, date of birth, address (including any previous addresses), the length of time you have been at your current address, email address, telephone number, ID (either a driving licence or passport), proof of nationality, visa details if applicable
- Your employment status, address and contact details (including email and phone numbers) of the employer/ accountant, your job title, the length of your current employment, National Insurance Number, salary information (including any regular overtime or commission) and any other income received, monthly pay slips, monthly bank statements
- The name of the university or college where you are studying, the course you are attending, the year of the course, student number (if applicable)
- Your current property address, current rent, marital status, current landlord name, current landlord full address, current landlord email address and phone number, whether you have any children or pets, how many people you will be living with, whether you smoke, any information on any benefits that you may be eligible for or are currently in receipt of, any information in regards to a county court judgement against you, any information in regards to you being bankrupt currently or previously, whether you have ever been evicted from a property, whether you have had an anti-social behavioural order against you
- Next of kin name, their relationship to you, their full address, their phone number and email address, details of a UK based forwarding address
- Guarantor name, email address and telephone number, address, whether the guarantor is a homeowner in the UK
- Your bank account details including name of bank, branch address, name on the account, account number and sort code

For landlords, these are:

- Your full name, address, the address of the properties to let/ manage, phone number and email address, details of the property/ properties to let/ manage, the amount of rent required for the property/ properties
- Your bank account details including name of bank, branch address, name on the account, account number and sort code
- Your tenancy deposit scheme details including name of company, address of company, phone number and email address of company, membership number

Policy statement

Tudor Jones Properties are committed to providing all of our customers, clients, landlords and tenants with the knowledge that their personal information and data are at all times held securely and dealt with/ deleted in the correct manner. Mr. Rhodri Thomas Jones, on behalf of Tudor Jones Properties, has been registered with the Information Commissioners Office (ICO) since Tudor Jones Properties began trading in August 2014 and the registration number for this is ZA068657.

This policy, along with all of our other personal information and data documents, has been written and published to provide all of our customers, clients, landlords and tenants with the lawful information that is required by the *General Data Protection Regulation (EU) 2016/679* which is applicable from 25th May 2018 together with any domestic laws subsequently enacted.

Tudor Jones Properties respects an individuals right to have their personal information and data held in a responsible and secure way and by writing this policy, we are committed to being open and honest with all individuals whose data we hold. At any time, anyone whose data we hold has the right to:

- Ask for a copy of the information about you held by us in our records
- Ask us to correct any inaccuracies in your information
- Make a request to us to delete what personal data of yours we hold

To exercise any of the rights above, Tudor Jones Properties will need to be contacted either by phone on 0117 226 23 37 or email at office@tudor-jones.co.uk

If there is ever a data breach which could affect anyone whose personal information and data we hold, the ICO will be informed voluntarily of any breach that occurs. We will also inform the individual or individuals that are affected by a breach as soon as a breach happens. However, we take the following steps to ensure that personal information and data is kept safe and secure:

- All paper files that contain any personal information are kept in a locked cabinet within our office and the Data Controller is the only person who has access to these locked cabinets.
- All personal information and data that is kept electronically on a computer is protected, backed up and encrypted. We do this by having an incremental back up on our computer and our computer system is protected with 'File Vault'. 'File Vault' encrypts all data stored on our computer system which means that the data itself is always securely stored. Only the Data Controller has access to the electronic data.

Key Risks

Through the security steps that Tudor Jones Properties have taken as stated above, a data breach is unlikely to happen. Tudor Jones Properties is based in one branch and is run by a sole trader, Mr. Rhodri Thomas Jones T/A Tudor Jones Properties. Mr. Jones is the sole person responsible for not just the day to day running of Tudor Jones Properties but is also the sole person involved with personal information and data and is therefore the Data Controller.

By complying with the law as well as implementing good practice, our security systems that we have in place mean that our Data Controller is the only person who has access to both electronic and paper based data. The electronic data is backed up

and encrypted whilst the data in paper form is held in a locked cupboard which is only accessible by the Data Controller.

If any personal information and data got in to the wrong hands, we would voluntarily inform the ICO of this data breach as well as the individual that it would affect. The data we hold does not get shared to any third parties in relation to marketing and we do not use any data for any marketing purposes.

Responsibilities

The Owner

The owner of Tudor Jones Properties has overall responsibility for ensuring that the organisation complies with all legal obligations as given by law.

Data Controller

The Data Controller has several responsibilities including:

- Reviewing Data Protection and related policies
- Notifying the ICO of any breaches, changes etc
- Handling access requests and assessing potential risks to these requests
- Approving unusual or controversial disclosures of personal data
- Consolidating security measures to ensure the privacy of all data held
- Collecting necessary data in the correct manner

Enforcement

If any Data Protection or related policies are infringed upon, an organisation can be fined up to the sum of £20,000,000 and /or 4% of the global turnover of an organisation. Tudor Jones Properties has taken all steps and has followed all legal obligations to ensure that no Data Protection or related policies are infringed upon.

Security

Scope

Data security is paramount to Tudor Jones Properties. All of our data, as well as all of our systems and the day to day running of the business, has a high level of security and all of our files etc can only be accessed by the designated Data Controller.

Security Measures

Tudor Jones Properties operates the following measures to ensure that the security of all the data we use is implemented all the time:

- All electronic devices are password protected
- All electronic files and data are backed up and encrypted
- All paper files containing personal information and data are kept securely locked up
- We operate a 'clear desk policy' meaning that all paper files containing data are not kept on desks but are locked away
- The Data Controller is the only person who has access to all of the above

- We do not give data out to anyone who contacts us. We will only give personal information and data out to organisations as stated in our Fair Processing Notice

Specific Risks

There are several specific risks that can be associated with the data that Tudor Jones Properties holds and uses. These are:

- A brake in/ robbery at our office
- Phones, computers, files being stolen
- Phishing emails or phone calls
- Scam email address' and callers

Although these risks are present in the day to day running of the business and are present to personal information and data, Tudor Jones Properties take the following steps to make sure that these specific risks do not lead to personal information and data being compromised:

- Our office is securely locked on a daily basis and is also locked overnight. No windows or doors are left open or unlocked when the office is un-manned whether during the day or night.
- All of our electronic devices are password protected, backed up and encrypted and the Data Controller is the only person who can access all of these devices
- Spam filters on our emails filter any malicious content and these are deleted unopened from our email system
- We do not give out data to anyone who phones us up. Any calls that are not from a suitable source (for example a local authority, utility provider etc) are ended and the number blocked.
- Any suitable phone calls are asked to send Tudor Jones Properties an email to confirm the nature of the call and what information they require. Any information that is passed over is only information that is necessary for managing a property on a daily basis and a list of what information is given can be found on our Fair Processing Notice.

Data recording and storage

Accuracy of the data and personal information that we hold

Tudor Jones properties holds data and personal information for our clients, customers, tenants, landlords and contractors. The information we are given comes from a variety of sources including application forms and emails. Any data and personal information that is given to us over the phone is asked to be given to us in writing so that we can ensure this information is accurate from its source. This information is then confirmed to ensure that the information and data that we have been given is correct.

If we receive data from a third party, like for example from a landlord of a property where a tenant is already at the property or information from a reference, we shall cross reference this data with the information that we already have to ensure it is accurate.

Updating and auditing personal information and data

Tudor Jones Properties audits all personal information and data every 6 months. For our tenants, landlords and contractors we hold their data for as long as:

- A tenant is in a property that we let/ manage
- A landlord is someone who we deal with when managing or letting their property
- A contractor is working for us

Any data and personal information that we hold is only held for as long as is legally allowed and required.

Storage

The personal information and data that we hold is stored both electronically and in paper format. The personal information and data that we hold is stored safely and securely in locked cupboards, password protected devices and backed up and encrypted computer systems. If any personal data and information is held in a spreadsheet format, the data is given a code so this data cannot be linked to an individual or property.

Retention periods

We review our data retention periods regularly and will only hold your personal data for as long as is necessary for the relevant activity, or as required by law (we may be legally required to hold some types of information), or as set out in any relevant contract we have with you. For example, once a tenant leaves a property, the tenants personal data and information will be deleted permanently unless we are required to keep any information as required by law.

We audit our data retention every 6 months and your data is not stored for any longer than is reasonably required.

Our full retention schedule is available upon request and can be found in our office, the address being 10 Monmouth Road, Pill, Bristol, BS20 0AY.

Archiving

We do not archive any data that we do not need. Once we have no need to hold and use personal information and data the information that we hold is destroyed and deleted. If the information is held electronically, the information will be deleted from our computer systems and once it is deleted, it is irretrievable. If the data is held in paper format, the paper information will be destroyed using a shredder.

Right of access

Responsibility

The Data Controller is the sole person responsible for ensuring that the right of access requests from people whose personal information and data we hold are handled within the legal time limit of one month.

Procedure for making a request

All right of access requests must be put in writing and can either be emailed to us at office@tudor-jones.co.uk or sent via post to 10 Monmouth Road, Pill, Bristol, BS20 0AY

Provisions for verifying identity

If a right of access request is made, Tudor Jones Properties has the right to ask for photo ID to confirm the identity of the individual who is making the request.

Charges

If a right of access request is made, there will be no initial charge for the information to be given to the individual. However, if the request is deemed to be unfounded, excessive or repetitive, the individual will be charged a fee of £25.00 per request.

If further copies of the information are requested which initially didn't incur a fee, a fee of £25.00 will be charged per copy.

Procedure for granting access

When a right of access request is made, the information shall be given in one of two ways. Firstly, we can provide the information electronically using commonly used formats such as a Pdf, Microsoft Excel and Microsoft Word documents. Secondly, we are able to hand deliver any information requested in a paper format.

Transparency

Commitment

Tudor Jones Properties is committed to ensuring that our Data Subjects are aware that their data is being processed and how their data is being processed. We are committed to this because we believe that our Data Subjects should always know exactly what is happening to their data, why we are using it and how we are using it.

Our Fair Processing Notice explains exactly what data we use and hold and also explains for what purpose this data is used. Tudor Jones Properties will never pass on any personal information or data for the purposes of marketing and the only times we will share any personal information or data is stated in our Fair Processing Notice. Unless required to do so by law, we will not otherwise share, sell or distribute any of the information you provide to us without your consent.

At any point, any of our Data Subjects are able to request a right to access to the data we hold, free of charge. Please see above the previous 'Right to Access' part of this policy for a full run down on how our data subjects can exercise their rights in relation to their data.

Procedure

We use the following ways to inform our Data Subjects of how we use their data:

- For our tenants, during the initial application form they fill in when they are applying for a property
- For our landlords, during the management or let agreements that are signed when we take their property on
- We provide all of our data subjects with our Fair Processing Notice at the initial stages as stated above
- Our Fair Processing Notice, Data Protection Policy, Data Retention Policy and all other GDPR/ data protection notices can be accessed via our website or by contacting us to request the necessary documents

Responsibility

Our Data Controller is the sole person who is responsible for transparency in regards to our Data Subjects.

Lawful basis

Underlying principles

GDPR states that Tudor Jones Properties must record the lawful basis for the personal information and data that we hold and use. There are several lawful bases that Tudor Jones Properties ensures are adhered to when processing personal information and data and these can be found on our Fair Processing Notice. The lawful bases that Tudor Jones Properties processes data under are:

- Consent – this applies to tenants who have filled in and submitted application forms which states why Tudor Jones Properties will use the data that they have submitted, for example for referencing purposes and for notifying utility providers.
- Contract – this lawful basis is used with our data subjects that we have contracts with. We will need to process certain data (for example when referencing a tenant or when processing Landlords details for a new management or let) in order to reach an agreement/ draw up a contract.
- Legal obligation – this applies where data processing is required in order to comply with legal requirements, for example the right to rent legislation and applications that require visa confirmation.

Opting out

Tudor Jones Properties will never use any personal information or data for the use of marketing, marketing by a third party or for any other purposes other than those that are stated on our Fair Processing Notice. If at any point a data subject wants to opt out of their data being used in a particular way, a request to do this must be sent to us in writing to us to explain the issue. An opt out box is present on our application forms so even at the initial stage of us collecting personal data, an opt out option is available although if the data subject opts out at the initial stage, we will unfortunately be unable to proceed with the application as the data we collect at this stage is needed for referencing and is necessary for the approval of the application.

Withdrawing consent

Consent can be withdrawn although not retrospectively. There may be occasions when Tudor Jones Properties has no choice but to retain certain data for legal purposes even though consent for using such data has been withdrawn.

Policy review

Tudor Jones Properties will review this policy every 3 years. The next review will take place in May 2027. The Data Controller will have sole responsibility in carrying out such review. The review will be started in April 2027 in order for it to be completed by May 2027.