



BAMBOO ESTATES' PRIVACY NOTICE

Bamboo Estates and the General Data Protection Regulation (GDPR)

Bamboo Estates is an Estate Agent registered with the Information Commissioners Officer as a Data Controller. This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

Our registration number is **ZA414944**

Data Controller: Bamboo Estates LLP

Address:

Partnership Building
Hamilton Street
Birkenhead
CH41 5AA

Bamboo Estates LLP is committed to protecting and respecting your privacy. We believe it is extremely important to keep any personal information we have about our customers secure and confidential.

Legislation applies to Bamboo Estates' use of anyone's personal information and everyone has rights regarding how their personal information is handled.

The General Data Protection Regulation 2016 came into force on 25th May 2018 and Bamboo Estates will adhere to the regulation at all times.

This Privacy Notice tells you what to expect when Bamboo Estates collects and stores personal and sensitive personal information. It applies to information we collect about tenants, service users, contractors, suppliers, partners, agents, board members and staff.

We have published this statement to tell you:

- How we collect and store your personal information
- What we use your personal information for
- What information we may collect about you
- Who (if anyone) we pass it on to and how they use it
- Your rights

Data protection principles

We will comply with data protection law. This says that the personal information we hold about you must be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept securely.

Information we may collect from you

Personal data, or personal information means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

There are special categories of more sensitive personal data which require a higher level of protection.

We may collect the following personal information about you when you first come to us:

- Your name, address, title, telephone numbers and personal email addresses and other contact details for use across Bamboo Estates and by our suppliers and partners
- Your housing needs, so we can ensure your home is suitable for you
- Your bank details and Direct Debit information for payment of rent or service charges (we only exchange the details with the account holder and the third party who manages our Direct Debits)
- NB - if you pay us using your credit and debit card, we do not store the details, and we only exchange this information with the card holder)
- Benefit and council tax information, to verify your circumstances
- Details relating to the repair and maintenance of your home
- Information that you provide to Bamboo Estates
- Feedback from our contractors, about their appointments with you
- Date of birth
- Gender
- Marital status and dependents
- National Insurance number
- Next of kin and emergency contact information
- Date of birth

We do not envisage that we will collect, store or use 'special categories' of more sensitive personal information.

If we become aware of a risk to our staff, contractors or other residents, or there is an issue that may affect the delivery of services, we may place a note detailing the risk on your records. When we do so, we will inform you and ensure that these flags are regularly reviewed.

How we collect your personal information

We collect personal information about you either directly from you or sometimes from a third party such as a background check provider.

We will collect additional personal information in the course of your interaction with us.

How we store your personal information

We store your personal information solely on computers. Any paper copies of application forms will be destroyed once the information has been transferred on to the computer system.

It is held securely and we have security measures in place to protect it.

We use computers which are owned or managed by our suppliers, these computers are secure and protected. Where we use computers outside of our offices, including laptops and iPads, they are also secure and protected.

What we use your personal information for

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

- Where we need to perform the contract we have entered into with you.
- Where we need to comply with a legal obligation, such as providing information to HMRC, to respond to requests from courts, law enforcement agencies and other public and government authorities.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

We may also use your personal information in the following situations, which are likely to be rare:

- Where we need to protect your interests (or someone else's interests)
- Where it is needed in the public interest or for official purposes

Tenants

During your tenancy we may collect and process information about you and members of your household. We do this to:

- Manage your tenancy and the property you live in
- Monitor compliance with the terms of your tenancy
- Conduct surveys in order to monitor and improve services
- Processing and responding to complaints and enquiries, MP and Councillor enquires, tenant representative enquiries (with written permission) and subject access enquiries
- Ensure security of the estate
- Provide a secure environment
- Meet regulatory requirements
- Business management and planning, including accounting and auditing
- Make arrangements for the termination of our relationship
- Deal with legal disputes involving you
- Comply with health and safety obligations
- Prevent fraud
- Facilitate equal opportunities monitoring
- Determine the terms of your agreement with us
- Administer the agreement we have entered into with you

Personal information is stored solely on our computer systems. We also share relevant information with contractors and suppliers who provide services to Bamboo Estates for income collection, call handling and repairs and maintenance.

Prospective Tenant Applicants

During a tenancy application we may collect and process information about you and members of your household. We do this to:

- Progress your application to a tenancy
- Make a decision as to whether to offer you a tenancy based on certain criteria such as affordability, credit check information (including County Court Judgements)
- Sending marketing information of details of properties that match your preferred criteria.

Personal information is stored solely on our computer systems.

Buyers

To help you buy part or the whole of your home we perform affordability and credit checks. When processing a house sale or purchase, we need to collect photo IDs, bank statements, payslips, and income details for you to support the transaction and to comply with anti-money laundering regulations.

Personal information is stored on our computer systems.

Shared Ownership Buyers

In order to help you purchase your shared ownership home we will share some personal information we collect from you with the organisation with whom you will enter into a lease with.

Personal information is stored on our computer systems.

Contractors, suppliers, partners and agents

We will collect relevant information from you in accordance with our contracts or information sharing agreements. This may include names and qualification information relating to your staff. The purpose is to enable you to provide services to our tenants on behalf of Bamboo Estates.

Information will be held on our computer system.

Board Representatives

Throughout your appointment as a Board Representative we may collect and process personal information about you. The lawful basis for this processing in most cases is contractual. We do this to:

- Contact you in relation to your role as a Board Representative
- Deliver tailored training and support
- Register you as a Board Director at Companies House

Information is held centrally on our computer system. We may share this information with Magenta Living who provide governance support to Bamboo Estates.

Fraud detection

We may use data disclosed to us for the purpose of preventing and detecting fraud. The lawful basis for this processing in most cases is legitimate interest.

Any personal data disclosed may be used for the purpose of preventing and detecting fraud. This includes information provided to us online or not.

The data collected may be used for the purpose of data matching and for further investigations. This involves comparing the data we hold on you with that held by third parties solely for the purpose of detecting and preventing fraud. We might also use your data to further investigate fraud that we think might have been committed.

This involves checking with various third parties, such as the Land Registry, banks, schools and utility companies.

Some of the grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

If you fail to provide certain information when requested, we may not be able to perform the agreement we have entered into with you or provide you with the required services, or we may be prevented from complying with our legal obligations.

We will only use your personal information for the purposes for which we have collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

'Special Category' data (particularly sensitive personal information)

Special categories" of particularly sensitive personal information require higher levels of protection. Although we do not currently envisage that we will process special categories of data, if this were to change, we would need to have further justification for collecting, storing and using this type of personal information. We do not currently envisage we would process special categories of personal information, but if we did we may do so in the following circumstances:

- In limited circumstances, with your explicit written consent. If we need your consent we will contact you separately about this.
- Where we need to carry out our legal obligations and in line with our GDPR & Information Security policy.
- Where it is needed in the public interest, such as for equal opportunities monitoring, and in line with our GDPR & Information Security policy.
- Where it is needed to assess your health, subject to confidentiality safeguards.

Less commonly, this type of information may be processed where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

Our obligations:

We would only use your particularly sensitive personal information in the following ways:

- We would use information about your physical or mental health, or disability status, to ensure your health and safety, and to provide appropriate adjustments.
- We would use information about your race or national or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation and disability status, to ensure meaningful equal opportunity monitoring and reporting and to comply with equality and other laws, for example if you raise concerns which relate to a protected characteristic.

We do not need your consent if we use special categories of your personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights. In limited circumstances, we may approach you for your written consent to allow us to process certain particularly sensitive data. If we do so, we will provide you with full details of the information that we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us.

We do not envisage that we will hold special categories of personal information.

Information about criminal convictions

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our GDPR Policy.

Less commonly, we may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

We do not envisage that we will hold information about criminal convictions.

Automated decision making

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. We are allowed to use automated decision-making in the following circumstances:

- Where we have notified you of the decision and given you 21 days to request a reconsideration.
- Where it is necessary to perform the contract with you and appropriate measures are in place to safeguard your rights.
- In limited circumstances, with your explicit written consent and where appropriate measures are in place to safeguard your rights.

If we make an automated decision on the basis of any particularly sensitive personal information, we must have either your explicit written consent or it must be justified in the public interest, and we must also put in place appropriate measures to safeguard your rights

We do not envisage that any decisions will be taken about you using automated means, however we will notify you in writing if this position changes.

Who we might share your personal information with

Normally, only Bamboo Estates will be able to access your personal information. However, we may need to share your information with third parties. We do this to achieve the purposes as set out above. We require third parties to respect the security of your data and to treat it in accordance with the law.

We will share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.

"Third parties" includes third-party service providers (including contractors and designated agents) and other entities within our group.

We also share information with:

- Contact Centre service supplier
- Suppliers for carrying out health, safety and compliance checks (e.g. gas servicing, lifts, asbestos and legionella).
- Our suppliers, who enable us to provide our services to you, or who provide services on our behalf
- Property maintenance contractors e.g. to undertake repairs, maintenance or improvements to your home
- IT providers who own or manage the computers, phones or systems we use
- Banks, e.g. to carry out payments through a secure system
- Additional staff resources
- Our professional advisors and providers of financial services
- Training providers or learning institutions
- Utility companies
- For crime prevention or detection, risk assessment, resolution of complaints
- Local Authorities, Safeguarding Boards, regulators, government departments and other public bodies

- MPs, Councillors and the Ombudsman

We may need to share information with solicitors, agents, mortgage brokers, financial advisors and surveyors relating to a property sale.

We will only share the minimum information necessary for the department, contractor or agency to carry out their services on behalf of Bamboo Estates.

We share limited personal information of our tenants with external contractors. Such as name, address and telephone number.

We do not share your personal information with anyone who claims to represent you, unless we are satisfied that you have appointed them or they act in some recognised official capacity. There may be a delay in dealing with requests while we confirm the caller's identity or check that we have your approval to deal with them.

We do not give anyone else access to your information in return for payment for their marketing or commercial purposes.

We may sometimes be obliged to disclose your personal data by law, such as by a regulator with appropriate power or court order. Information held by public bodies can be subject to Freedom of Information.

Unless you pay your bills using Direct Debit, we will not usually retain your payment details. Whoever pays your bills will have to give us the payment card details each time they make a payment.

All our third-party service providers are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

We will share your personal information with other entities in our group as part of our regular reporting activities on company performance, in the context of a business reorganisation or group restructuring exercise, for system maintenance support and hosting of data.

We may share your personal information with other third parties, for example in the context of the possible sale or restructuring of the business. We may also need to share your personal information with a regulator or to otherwise comply with the law.

Transferring information outside the EU

We will not transfer your data outside the EEA.

To enhance your experience with Bamboo Estates, you can :

- Give details of your friends, relatives or neighbours who you trust to contact us on your behalf, e.g. to arrange one of our services for you
- Give details of anyone to whom you have given a Power of Attorney to contact us on your behalf
- Give your consent for your name, image, video or story for brochures, advertising, press releases, social media or for use by the media
- Provide details about any complaints about our service or other individuals, or accidents or incidents involving you or your home
- Provide your comments about the services you have received from us or our suppliers.

Data security

We have put in place measures to protect the security of your information. Details of these measures are available upon request.

Third parties will only process your personal information on our instructions and where they have

agreed to treat the information confidentially and to keep it secure.

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

How long we keep information for

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. We have a data retention schedule which sets out how long we keep different types of information for. We follow legal requirements and best practice. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

Your duty to inform us of changes

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your relationship with us.

Your rights – Accessing the information we have about you

You have a legal right to access the information we hold on you. This is called a Subject Access Request.

By law we have a maximum of one calendar month to deliver the information from the point your completed request (form) has been verified.

We have a Subject Access Request form which provides further information and will help you to submit your request. You can write to us at Bamboo Estates, Partnership Building, Hamilton Street, Birkenhead, Wirral CH41 5AA to request a form and information that will help you submit your request. If you are unable to access the form, you can also email us info@bambooestates.co.uk or telephone us on **0330 123 4977**

Your right to certain information may be restricted. For example, information relating to a third party or information relating to a Police investigation.

You have the right to ask us not to process your personal information. However, we may be unable to provide our services to you if we are unable to record and process certain details.

Your rights – Withdrawal of consent

We make it easy for individuals to withdraw their consent to us processing their personal data. You can request/return a copy of the Request to Withdraw Consent by contacting us on the contact details provided in the 'How to contact us' section of this privacy notice.

We act on individual requests to withdraw consent as soon as possible

Withdrawing consent does not retrospectively render processing unlawful.

Your rights – Right to rectification

You have the right to rectify inaccurate personal data concerning you. Taking into account the purposes of the processing, you have the right to have incomplete personal data completed by providing a supplementary statement.

Your rights – Right to erasure (right to be forgotten)

You have the right, (under certain circumstances, but not all) to oblige to erase personal data concerning you.

Your rights – Right to restriction of processing

You have the right (under certain circumstances, but not all) to restrict processing of your personal data. For example, you may request this if you are contesting the accuracy of personal data held about you.

Your rights – Right to data portability

You have the right (under certain circumstances, but not all) to be provided with the personal data about you, which you have provided, in a structured, commonly used and machine-readable format

You also have the right to ask for it to be transmitted to another controller.

Your rights – Right to object

You have the right to object to the processing of your personal data in certain circumstances. Where your personal data is processed for direct marketing purposes, you have the right to object at any time o processing of your personal data for marketing, which includes profiling to the extent that it is related to such direct marketing.

Your rights – Right to relation to automated decision making and profiling

Bamboo Estates does not perform any automated decision-making based on personal data that produces legal effects or similarly significantly affects you.

Visitors to our website

We collect information from forms filled in when you contact us online. The lawful basis for this processing in most cases is contractual (in the interests of entering into a contract).

Links to other websites

This privacy statement doesn't cover links within our website to other websites. We encourage you to read the privacy statements on the other websites you visit.

Social Media

We exclude liability for actions taken in response to breaches of any Bamboo Estates policy. The responses described in this privacy statement are not limited, and we may take any other action we reasonably deem appropriate.

Where you make a contribution to our social media, we may also take the following actions in addition to any other actions described above:

- Immediate, temporary or permanent withdrawal of your right to use our social media
- Immediate, temporary or permanent removal or editing of any posting or material uploaded by you to our social media.

Changes to this Privacy Notice

We keep our privacy notice under regular review. We will update it if we undertake any new or amended processing. This privacy notice was last updated on 6th January 2020.

We will display the new Notice in all places where it can usually be found.

Further Information

This privacy statement does not provide detail on all aspects of Bamboo Estates' collection, and use of, personal information. We're happy to provide any further information or explanation needed.

Please contact us using the information below.

How to contact us

If you want to get in touch you can do so via email at info@bambooestates.co.uk or by phoning us on **0330 123 4977** or writing to us at:

Data Controller
Bamboo Estates
Hamilton Street
Birkenhead
Wirral
CH41 5AA

Complaints

Bamboo Estates tries to meet the highest standards when collecting and using personal information. We take any complaints we receive seriously. We encourage people to bring it to our attention if they think that our collection or use of information is unfair, misleading, inaccurate or inappropriate.

We may compile and publish statistics showing information, like the number of complaints we receive, but not in a form that identifies anyone.

You can make a complaint by calling us on **0330 123 4977** or emailing info@bambooestates.co.uk.

If you remain unhappy with our response you have the right to complain to the Information Commissioners Office by writing to:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Bamboo Estates is the trading name of Bamboo Estates LLP company registration number **OC413454**. Registered address:

Partnership Building, Hamilton Street, Birkenhead, Wirral, CH41 5AA



<https://www.tpos.co.uk>

Bamboo Estates is currently not a member of a Client Money Protection Scheme