

Rothesay



Privacy Notice

Who needs to read this privacy notice

You should read this privacy notice if you are a tenant in residential property where Rothesay Life Plc is the landlord

About us and our relationship with you

'Rothesay' is the trading name for Rothesay Life Plc, an insurance company established in the UK with company registration number 06127279. We are authorised in the UK by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and the Prudential Regulation Authority. Our registered office address is The Post Building, 100 Museum Street, London WC1A 1PB.

This Privacy Notice applies to all situations where we process data about any individual that is a **tenant** in a residential property that we directly or indirectly own. We assign a **property manager** to each residential property that we own and that **property manager** is responsible for the day-to-day management of the property, including assisting you with any issues that may arise from time to time.

We are a **controller** under **data protection law**. This means that we are trusted to look after and deal with your personal information in accordance with this notice. We determine the ways and means of processing your data and must therefore, be accountable for it. We take this responsibility very seriously.

About this document

This privacy notice contains information about:

- The **personal data** that we **process** as a **controller**.
- Where the **personal data** has been obtained.
- The reasons why and lawful bases used to **process** your **personal data**.
- The security measures that we have in place to keep your **personal data** secure.
- The length of time we store your **personal data** for.
- The organisations with whom we might share your **personal data**.
- International transfers of your **personal data**
- The rights you have under the **data protection laws** in relation to our **processing** of your **personal data**.

The meaning of words which are shown in **bold underlined** text are explained in the **Glossary**. Throughout this notice any reference to "we" or "us" refers to Rothesay Life Plc.

Please note that we may change this privacy notice from time to time. The latest version of our privacy notice can be found on our website:

> rothesay.com/data-protection

To request a printed copy of this privacy notice please contact us using the contact details contained in the part of this privacy notice headed **Contact details**.

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What personal data do we process?

The categories of **personal data** we **process** include the following:

1. **Tenant personal information:** data relating to each **tenant** in residential property that we directly or indirectly own. Data includes:
 - Name
 - Date of birth
 - Marital status
 - Address of property
 - Contact details (including phone number and email address)
 - Financial information such as your salary or assets
2. **Tenancy Information:** data relating to your **tenancy agreement** and properties. Data includes:
 - Amount of rent due to be paid under the **tenancy agreement**
 - Property value and rental value
 - Tenancy start date and end date
 - Additional information – if you are in breach of the terms of your **tenancy agreement**, we may obtain more information about the breach (including any reason for such breach) from the **property manager** in order to determine what action to take.
3. **Special Category personal data** where necessary and permitted under data protection laws. For example, if you breach the terms of your **tenancy agreement**, then we might process your personal data in order to review your circumstances in the context of determining what action should be taken. This may involve processing your sensitive personal data, such as health information.

Where the personal data has been obtained

Personal data will usually be collected from you by the **property manager** who manages the property in which you are a **tenant**.

The reasons why and lawful bases to process your personal data

The table below provides details of the purpose and the lawful bases upon which we **process personal data**.

Type of personal data	Why do we need it?	Lawful basis for processing
<ul style="list-style-type: none">• <u>Tenant personal information</u>• <u>Tenancy Information</u>	<p>Fulfilling our landlord obligations</p> <p>We process your personal data so that we can enter into, maintain and record the tenancy agreement agreed between you and us (or by the property manager on our behalf) and to comply with our obligations or enforce our rights under such tenancy agreement.</p>	<p>Performance of a contract with the tenant</p> <p>It is necessary for us to process your personal data so that we can provide housing to you as the (direct or indirect) owner of the property, under the terms of your tenancy agreement, and to otherwise perform such tenancy agreement.</p>
<ul style="list-style-type: none">• <u>Tenant personal information</u>• <u>Tenancy Information</u>	<p>To operate our business</p> <p>We process personal data to operate our landlord business, to manage the risks aligned to our ownership of the properties, and comply with any group compliance obligations.</p>	<p>Legitimate interests</p> <p>It is necessary for us to process your personal data to run our landlord business in the ordinary course, including to:</p> <ul style="list-style-type: none">• assess suitability of existing or potential tenants who do not meet standard tenancy criteria;• ensure we can comply with intra-group policies and maintain internal financing arrangements; and• establish and maintain records of tenancies associated with the properties we (directly or indirectly) own, in keeping with usual practice for the owner of a property. <p>Compliance with law</p> <p>We may occasionally be required by law to process your personal data to comply with laws and regulations applicable to our landlord business.</p>

<ul style="list-style-type: none"> • <u>Tenant personal information</u> • <u>Tenancy Information</u> 	<p>To manage breach of tenancy agreement We <u>process personal data</u> so that we can make decisions relating to the management of the properties and to determine what action to take where a <u>tenant</u> is in breach of their obligations under the <u>tenancy agreement</u>.</p>	<p>Performance of a contract with the tenant It is necessary to <u>process personal data</u> in order to manage the <u>tenant's</u> obligations under the <u>tenancy agreement</u>, including taking steps permitted under such agreement in the event of a breach.</p> <p>Legitimate interests It may be necessary for us to <u>process</u> your <u>personal data</u> in order to establish and enforce our commercial and legal rights in the event of a breach.</p>
<ul style="list-style-type: none"> • <u>Tenant personal information</u> • <u>Tenancy Information</u> 	<p>Divestment of properties We may <u>process personal data</u> in connection with our sale or potential sale of our interests in properties, including to enable the valuation of the properties.</p>	<p>Legitimate interest It may be necessary for us to <u>process</u> limited information about the properties including tenants for our legitimate interest of getting an appropriate return on our investments</p>

You can object to our processing of your personal data on the grounds of legitimate interests. See the section headed **Your rights** to find out how.

We may also **process personal data** including **special category personal data** where permitted by applicable data protection law. For example, in the event that you breach the terms of your tenancy, we might need to **process special category personal data** such as health information as part of reviewing your circumstances and determining what action the property manager should take. We will generally only process such personal data where necessary for the establishment, exercise or defence of legal claims, where necessary for the prevention or detection of unlawful acts, or where otherwise permitted by applicable data protection law.

How do we keep your personal data secure?

We take the security of information, infrastructure and applications very seriously. Our commitment to corporate security is demonstrated through the implementation of policies, controls and procedures, which are externally certified and audited to the international information security standard, ISO 27001:2013.

Our security policies, controls and procedures are regularly reviewed and updated so that we maintain good practices across our business to keep your information safe.

We have contractual arrangements in place with all of our service providers who **process personal data** which are compliant with **data protection laws**. We regularly check that our service providers are complying with their contractual commitments. This includes assessing and reporting on our service providers' information security controls to check their compliance using questionnaires and/or on-site audits.

How long do we store your personal data?

We will only keep your **personal data** in an identifiable format for so long as we reasonably require it for the purposes for which we process your personal data (as described above), unless a longer period is required by law and, in any event, we will only keep your personal data for as long as our internal rules and policies allow us to fulfil our business or legal and regulatory obligations. This will usually be six years after the date of termination of the **tenancy agreement**.

Who has access to your personal data?

We share **personal data** with a variety of other companies and other organisations in connection with the purposes described in the section **The reasons why and lawful bases to process your personal data**. However, we only share the **personal data** that those companies and other organisations need to provide their services to us or on our behalf, to enable the operation of our business, to regulate and assess us, or in the case of property investors, to evaluate the property that it is looking to acquire.

We have detailed the types of companies with whom we currently share **personal data** below. The companies fall into two categories:

- **Processors with whom we share personal data**

For these companies, we determine the purposes for which the personal data we pass to them is processed and they should not process that personal data other than in accordance with our written instructions. Processors with whom we share personal data:

- 1. IT service providers**

Our main IT infrastructure and core software is provided by Goldman Sachs Group, Inc.. This means that **personal data** we **process** is stored on Goldman Sachs' IT systems.

- 2. Other service providers to our business**

Other companies who **process personal data** on our behalf include those who provide day-to-day operational business services such as emails, archiving, document scanning and copying, document destruction and printing.

- **Controllers with whom we share personal data**

For these companies, we do not determine the purposes for which the **personal data** we pass to them is **processed**. To understand how the other **controllers process** your **personal data**, you should refer to their privacy notices. Controllers with whom we share personal data:

- 1. Property related service providers**

We engage a number of companies to provide services relevant to our investments in properties, including **property managers**, investment managers, asset managers, property valuation companies, auditors and due diligence providers.

- 2. Group entities**

We will sometimes need to share personal data with entities within our corporate group for administrative purposes and as part of our internal financing arrangements.

- 3. Other property investors**

If we decide to sell our interests in a property to another investor, we may share basic information about the properties, tenants and tenancies to enable the new investor to evaluate the property it is looking to acquire.

- 4. Professional advisers**

We sometimes have to share **personal data** with our professional advisers (including accountants and lawyers) where it is required for the purposes of their advice.

- 5. Regulators, law enforcement and auditors**

We will share **personal data** when requested or required by Regulators, Law enforcement agencies or other third parties, including to comply with obligations imposed on us by laws and regulations.

International transfers of your personal data

Where your personal data is transferred to and **processed** in a country not determined by the UK government as providing adequate levels of protection for **personal data**, we take steps to provide appropriate safeguards to protect your **personal data**, including by entering into approved standard contractual clauses obliging recipients to protect your **personal data**.

If you want further information on the specific mechanisms used by us when transferring your **personal data** out of the UK, please contact us using the details contained in the part of this privacy notice headed **Contact details**.

Your rights

Under certain circumstances, you have the following rights under **data protection law**:

- The right of access to **personal data** relating to you (known as Subject Access Requests)
- The right to correct any mistakes in your **personal data**
- The right to require us to delete your **personal data**
- The right to restrict our **processing** of your **personal data**
- The right to object to us **processing** your **personal data** on the basis of legitimate interests, **including for marketing purposes**
- The right to have your **personal data** provided to another **controller**

How to exercise your rights

If you wish to exercise any of your rights, please contact us using the details contained in the part of this privacy notice headed **Contact details**.

When seeking to exercise any of your rights, please ensure that your request contains sufficient information and supporting documentation to enable us to consider your request and take appropriate action.

There are exemptions that apply to some of your rights. If any of these are applicable such that we are unable to comply with your request to exercise any of your rights, we will confirm this to you when responding to your request and apply those exemptions in accordance with data protection laws.

Contact details

Any queries regarding your tenancy should in the first instance be directed to the **property manager**. The contact details for your **property manager** can be found on the contract documentation that you received from them.

How to contact us regarding this privacy notice

You may want to contact us to:

- Ask any questions you have in relation to the information contained in this privacy notice
- Exercise any of your rights under the **data protection laws**
- Request a version of this privacy notice printed in large print or braille
- Request an audio version of this privacy notice
- Make a complaint (see below)

To contact us you can email our DPO at **dpo@rothesay.com** or write to:

> Data Protection Team, Rothesay Life Plc, The Post Building, 100 Museum Street, London WC1A 1PB

How to make a complaint

If you have a problem or concern relating to the matters set out in this privacy notice that you would like us to look into, please contact us in the first instance.

We hope that we will be able to address the problem or concern to your satisfaction. However, you also have the right to make a complaint to the Information Commissioner's Office. The process for making a complaint to the Information Commissioner's Office is available here: **ico.org.uk/make-a-complaint**. Their contact details are as follows:

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

Or phone 0303 123 1113

> **ico.org.uk**

Glossary

The terms shown in **bold underlined** text in this privacy notice have the meanings shown below.

property manager: a company appointed to manage, or manage aspects of, the properties, such as the selection and vetting of **tenants** to live in a property, day-to-day management of the property, collecting rents and providing assistance to **tenants**

tenancy agreement: an agreement between us and the **tenant** that sets out the contractual obligations of the landlord and the **tenant** in respect of a property

tenant: the individual that leases or rents a property that we directly or indirectly own pursuant to a **tenancy agreement**

tenant personal information: data relating to each **tenant** in residential property that we directly or indirectly own (as described in the section **What personal data do we process?**)

tenancy information: data relating to **tenancy agreements** and properties (as described in the section **What personal data do we process?**)

controller: the entity which determines the purposes for which, and the manner in which, any **personal data** is **processed**

data protection laws: any law relating to the processing of personal data, which is applicable to our processing of your personal data, including:

- a) in the United Kingdom:
 - i) the General Data Protection Regulation (EU) 2016/679 (GDPR) including as adopted by the United Kingdom as a result of its exit from the European Union ("UK GDPR") and the Data Protection Act 2018, and/or any corresponding or equivalent national laws and regulation in the United Kingdom and/or any other applicable jurisdiction; and/or
 - ii) Data Protection, Privacy and Electronic Communications (Amendments) (EU Exit) Regulations 2019, and/or any corresponding or equivalent national laws and regulation; and/or
 - iii) the Privacy and Electronic Communications (EC Directive) Regulations 2003, and any laws or regulations implementing Directive 2002/58/EC (e-Privacy Directive) and/or any corresponding or equivalent national laws and regulation;
- b) in member states of the European Union (EU) and/or the EEA: the GDPR and the e-Privacy Directive, and all relevant EU and EEA member state laws or regulations giving effect to or corresponding with any of them; and
- c) any judicial or administrative interpretation of any of the above.

personal data: any information relating to a living identifiable individual, including:

- Information such as names, addresses, telephone numbers, email addresses, photographs, voice recordings and financial information
- Expressions of opinion and indications of intentions about individuals (and their own expressions of opinion/intentions)
- Information which on its own does not identify someone but which would identify them if put together with other information which we have or are likely to have in the future

processor: any entity which **processes personal data** on behalf of a **controller**.

processing or **process:** this covers almost anything a company or individual can do with **personal data**, including:

- Obtaining, recording, retrieving, consulting or holding it
- Organising, adapting or updating it
- Disclosing, sharing or otherwise making it available
- Cleansing, blocking, erasing or destroying it

special category personal data: any information relating to any of the following:

- Racial or ethnic origin
- Political opinions
- Religious beliefs or beliefs of a similar nature
- Trade union membership
- Physical or mental health
- Sexual life or orientation
- Genetic data or biometric data for the purpose of uniquely identifying an individual
- personal data relating to criminal convictions and offences

Rothesay

'Rothesay' is the trading name for Rothesay Life Plc. Registered in England No. 6127279.
Registered office: The Post Building, 100 Museum Street, London WC1A 1PB.

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