



VAN MILDERT
LANDLORD & TENANT PROTECTION

GDPR PRIVACY POLICY

Introduction

Welcome to the Van Mildert Landlord and Tenant Protection Limited's ("**Van Mildert**") privacy notice.

Van Mildert respects your privacy and is committed to protecting your personal data. This privacy notice will inform you as to how we look after your personal data when you visit our website (<https://www.vanmildert.net/>) (the "**Site**") (regardless of where you visit the Site from) and tell you about your privacy rights and how the law protects you.

This privacy notice is provided in a layered format so you can click through to the specific areas set out below. Alternatively, you can download a pdf version of the policy [here](#). Please also use the Glossary to understand the meaning of some of the terms used in this privacy notice.

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1. Important information and who we are

Purpose of this privacy notice

This privacy notice aims to give you information on how Van Mildert collects and processes your personal data through your use of our Site, including any data you may provide through our Site, or use of a service.

This Site is not intended for children. Except in the limited circumstances set out below, we do not knowingly collect data relating to children.

Who we are

Van Mildert Landlord and Tenant Protection Limited is the controller and responsible for your personal data (collectively referred to as "**Van Mildert**", "**we**", "**us**" or "**our**" in this privacy notice).

We have appointed a data protection officer (DPO) who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, please contact the DPO using the details set out below.

Contact details

Our full details are:

Full name of legal entity: Van Mildert Landlord and Tenant Protection Limited

Email address: dpo@vanmildert.net

Postal address: DCS House, Silverbirch, Camperdown Industrial Estate, Newcastle Upon Tyne, NE12 5UJ

Telephone number: 0191 256 0920

If you have any concerns or complaints about how we process your personal data, you always have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

Your duty to inform us of changes

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

Third-party links

This Site may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our Site, we encourage you to read the privacy notice of every website you visit.

2. Information we collect about you & how and why we use that information

In the table below we set out the types of information we collect about you, how we collect that information, the ways we use it and what we use it for.

We will use your personal data in the following circumstances:

- Where we need to perform a contract, we are about to enter into or have entered into with you.
- 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.
- Where we need to comply with a legal or regulatory obligation.
- Where you have provided your consent.

Where we rely on consent as a lawful basis for processing your personal data including to send direct marketing communications to you via email or text message, you have the right to withdraw consent to marketing at any time by contacting us.

Type of information	How we collect it	How we use it	Why we use it
<p>Stage 1 – initial contact with you regarding your tenant reference</p> <ul style="list-style-type: none"> • Contact and identity data (including name, phone number & email address). 	<p>When a landlord or managing agent (which also means estate agents and letting agents) requests that a tenant reference is conducted in respect of you, they will provide us with your name, phone number and email address.</p>	<p>To send you a SMS and/or email asking you to complete an application form, which we require in order to conduct a tenant reference check for you. We may also call you on your mobile number if we don't hear from you.</p>	<p>Necessary for our legitimate interests (to carry out tenant referencing services and perform services for our clients).</p> <p>Necessary for the legitimate interests of our clients (landlords or managing agents requiring a tenant reference).</p>
<p>Stage 2 – tenant referencing process</p> <ul style="list-style-type: none"> • Contact and identity data (including name, date of birth, national insurance number, address (including previous address), email address, phone number and gender). • Employment data (including salary, job title, contract type, place of work and length of 	<p>You are the source of this data. It is provided to us in your application. As part of this process we may also correspond with you by email or phone and obtain personal information about you from our correspondence.</p> <p>We may collect data about you as part of</p>	<p>To obtain tenant reference – which includes conducting (ourselves or via a third party, as explained in this policy) credit checks, affordability checks, verifying data, fraud/ money laundering checks, ID checks and confirming right to rent in the UK.</p> <p>We will share your</p>	<p>Consent.</p> <p>When we are performing fraud/money laundering checks we will do this because it is necessary to comply with a legal obligation.</p>

<p>employment).</p> <ul style="list-style-type: none"> • Education data (including student number, university). • Financial data (including bank account details, payment card details, tax codes, benefits and pension details, credit accounts held, credit score, repayment performance and any adverse credit history (such as County Court Judgments, IVAs, debt relief orders and bankruptcy) or other adverse credit or tenancy history). We may receive information about others, such as the names of children if you provide information about any benefits you receive. To verify your income, we may collect documents such as benefit award letters, bank statements, P60s, pay slips, scholarship letters and employment contracts. • Property data (including address, rent and moving in date as well as details about property you have previously owned). We may also collect data about your compliance with previous tenancy agreements including paying rent on time, condition of property and honesty/trustworthiness. • Lifestyle details (including 	<p>the tenant referencing process from publicly available sources, such as Companies House and the Electoral register and from third parties such as credit reference agencies (Equifax), from your referees (employers, pension providers, accountant, managing agent and landlords).</p>	<p>personal data with third parties for the purposes of conducting a tenant reference – this may include with employers, accountants, pension providers, credit reference agencies and landlords. These third parties will then be asked to provide a reference in respect of you to us.</p> <p>Once we have completed the tenant referencing process, we will provide your landlord or managing agent with the Referencing Data and results of the tenant reference.</p>	
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<p>smoking status, children and pets).</p> <ul style="list-style-type: none"> • Next of kin details. (the above information and any related or similar information you give us is known as "Referencing Data") 			
<ul style="list-style-type: none"> • Contact, property and identity data (as set out above). 	<p>We may collect the following information directly from a landlord, managing agent when they request an instant credit history is conducted in respect of you.</p>	<p>We will process your data to provide an instant credit history for the landlord/managing agent. This will involve sharing data with Equifax for the purpose of a soft credit check which will be used by us in providing an instant credit history.</p> <p>Once we have completed the instant credit history process, we will provide your landlord or managing agent with the results.</p>	<p>Legitimate business interests (to provide an instant credit history / service to managing agents or landlords).</p>
<ul style="list-style-type: none"> • Contact, identity, property and financial data (as set out above). 	<p>Collected as part of the tenant referencing process explained above.</p>	<p>If the tenant reference is positive, we may contact you about insurance products that may be of interest to you via text, email and/or telephone.</p> <p>If you decide to take out insurance products with us, we will need to use this data to process your application and, if successful, put the insurance in place. This may involve us sharing your personal data with applicable underwriters and insurance providers to put the insurance in place.</p>	<p>Consent.</p>

<ul style="list-style-type: none"> Contact and identity data (as set out above). 	<p>Collected as part of the tenant referencing process explained above.</p>	<p>To notify you about changes to the privacy policy and, if you take out insurance with us, notifying you of changes to the insurance product and terms.</p>	<p>Necessary to comply with a legal obligation.</p> <p>Necessary for our legitimate interests (to notify you about changes).</p>
<ul style="list-style-type: none"> Contact, identity and financial data (as set out above). 	<p>As above.</p>	<p>To manage our relationship with you where you take out insurance products including:</p> <p>(a) Manage payments, fees and charges. (b) Manage your insurance policy. (c) Collect and recover money owed (d) Assist with any claims including payment of any insurance claims.</p>	<p>Performance of a contract with you.</p> <p>Necessary for our legitimate interests (to recover payments due or to make payments).</p>
<ul style="list-style-type: none"> Identity, contact, financial, technical (such as internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access this Site) and usage data such as information about how you use our Site and products and services). 	<p>As above.</p>	<p>Responding to and dealing with your queries or complaints and to provide or improve our customer service and for internal training purposes.</p>	<p>Necessary for our legitimate interests (to provide customer support including dealing with your complaints, enquiries and to improve customer service, monitor quality and conduct training).</p>
<ul style="list-style-type: none"> Identity, contact and technical data (as set out above). 	<p>As above.</p>	<p>To administer and protect our business and this Site (including</p>	<p>Necessary for our legitimate interests (for running our</p>

		troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data).	business and Site, provision of administration and IT services, network security, to prevent fraud).
<ul style="list-style-type: none"> • Identity, contact, usage and technical data (as set out above). • Technical and usage data (as set out above). 	As above.	To deliver relevant Site content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you. To use data analytics to improve our Site, products/services, marketing, customer relationships and experiences.	Necessary for our legitimate interests (to study how our Site is used, including how customers use our products/services, to develop them, to grow our business and to inform our marketing strategy, to define types of customers for our products and services, to keep our Site updated and relevant, to develop our business and to inform our marketing strategy).
<ul style="list-style-type: none"> • Referencing Data 	<p>As above.</p> <p>If we did not conduct the tenant reference check – we may receive the Referencing Data from the tenant referencing agent who conducted the tenant reference check about you.</p> <p>In the event of a claim, we may also obtain data from third parties including the other party to the claim, witnesses, experts, solicitors and claim handlers.</p>	If you fail to pay your rent or comply with the tenancy agreement whether or not we provide insurance services to managing agents or landlords (such as rent protection), we may need to process the Referencing Data. We will process this data to take steps to enforce the tenancy agreement against you, collect payment due by you (including instructing debt collection agencies or bailiffs), obtain your whereabouts (including instructing tracing agencies) and in	<p>Necessary for our legitimate interests (to protect managing agents / landlords by enforcing tenancy agreements and collecting debts and part of the insurance process).</p> <p>Necessary to comply with a legal obligation.</p>

		<p>pursuance of a claim against you.</p> <p>As part of this, we may need to share your Referencing Data with the managing agents, insurance providers, underwriters, legal advisors, bailiffs, debt collection agencies and other third parties in furtherance of collecting payments by you, enforcing the tenancy agreement or pursuing any claim against you. This may also include the other party to the claim, witnesses, experts, solicitors and claim handlers.</p>	
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We may conduct a tenant reference check in respect of any guarantor. As part of this, we will follow the steps above and collect such data in respect of the guarantor.

As you interact with our Site, we may automatically collect technical data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies. We may also receive technical data about you if you visit other websites employing our cookies. Please see our cookie policy for further details.

We also collect, use and share aggregated data such as statistical or demographic data for any purpose. Aggregated data may be derived from your personal data but is not considered personal data in law as this data does not directly or indirectly reveal your identity. For example, we may aggregate your usage data to calculate the percentage of users accessing a specific Site feature. However, if we combine or connect aggregated data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy notice.

We do collect special categories of personal data about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data) criminal conviction and offences.

Promotional offers from us

If your tenant reference is successful, we may use your personal information to contact you via text, email and/or telephone to inform you about insurance products we may be able to offer you, including contents insurance. We will obtain your consent to send this marketing to you as part of the tenant reference application form.

You can ask us to stop sending marketing messages at any time by contacting us via email at referencing@vanmildert.net.

Cookies

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of this Site may become inaccessible or not function properly. For more information about the cookies we use, please see <https://vanmildert.net/documents/cookiePolicy.pdf>.

Change of purpose

We will only use your personal data for the purposes for which we 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 you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data 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 data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

3. Disclosures of your personal data

We may have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 2 above.

- Third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy notice.

The following external third parties:

- Credit reference agencies for the purpose of checking the details that you have provided us with are correct and to obtain further details (as set out above).
- Payment providers to set up a direct debit and/or take payment from you.
- Insurance brokers, providers and underwriters for the purpose of arranging insurance policies.
- Marketing agencies to allow us to send marketing communications to you and to make sure the marketing communications are relevant.

- Debt collection agencies, tracing companies, bailiffs and legal advisors in order to recover monies due from you, to trace your whereabouts or in pursuit of a claim against you.
- Professional advisers acting as processors or joint controllers including lawyers, bankers, auditors and insurers based in the United Kingdom who provide consultancy, banking, legal, insurance and accounting services.
- HM Revenue & Customs, regulators and other authorities acting as processors or joint controllers based in the United Kingdom who require reporting of processing activities in certain circumstances.
- IT system providers to provide our systems including for the purposes of hosting and support.
- Digital analytics companies, such as Google Analytics, for website analytics and reporting in respect of our analytics and marketing.
- Police or other such regulatory authority as part of an investigation or otherwise for legal or regulatory purposes.
- Dispute Resolution agencies for the purposes of dealing with any complaints.
- UK law enforcement agencies and third party security companies for the purposes of ensuring that we comply with the law and have adequate security measures in place.
- We will disclose your personal information to other third parties if we are under a duty to disclose or share your personal data in order to comply with any legal or regulatory obligation or request. This includes exchanging information with other companies for the purposes of fraud protection and credit risk reduction.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

4. International transfers

We do not transfer your personal data outside the European Economic Area (**EEA**).

5. Data security

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

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

6. Data retention

How long will you use my personal data for?

We will only retain your personal data 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.

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.

We have to keep basic information about you (including your contact, identity, financial and transactional data) for 6 years after you cease being a customer or after completion of the tenant reference check, whichever occurs last, for tax purposes. All information will be destroyed after 6 years to ensure compliance with any regulatory authority.

In some circumstances you can ask us to delete your data: see *Request erasure* below for further information.

In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

We will retain your marketing preferences to ensure you do not receive any marketing communications in the future.

7. Your legal rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data:

- *Request access to your personal data:* you can ask for a copy of the personal data we hold about you and to check that we are lawfully processing it.
- *Request correction of your personal data:* you can ask us to correct any incomplete or inaccurate data we hold about you.
- *Request erasure of your personal data:* in certain circumstances you can ask us to delete the personal data we hold about you.
- *Object to processing of your personal data:* you can ask us not to process your personal data where it is processed on the basis of legitimate interests, if there are no compelling reasons for that processing.
- *Request restriction of processing your personal data:* in certain circumstances you can ask that the processing of your personal information is restricted.
- *Request transfer of your personal data:* you can ask us to transfer your personal data to you or a third party.
- *Right to withdraw consent:* you can withdraw your consent and ask us to stop any consent based processing of your personal data after you withdraw consent.

If you wish to exercise any of the rights set out above, please contact us.

No fee usually required

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it.

We may also contact you to ask you for further information in relation to your request to speed up our response.

Time limit to respond

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.