TENANT PRIVACY NOTICE

1. Introduction

This Privacy Notice relates to the processing of personal data by the Trustees of The Portman Estate (together with others set out at Section 17 "The Portman Estate"). Unless otherwise stated, all references to "we" or "our" shall imply any entities which form part of The Portman Estate, and which process personal data. This Privacy Notice also forms part of The Portman Estate's obligations to be open and fair with all individuals whose personal data we process and to provide details around how we process such personal data and what we do with it.

Your tenancy agreement or lease is managed on behalf of the Trustees of The Portman Estate by its data's processor Portman Settled Estates Limited ("The Portman Estate").

We are committed to safeguarding the privacy of personal data and complying with the UK Data Protection Act 2018, the UK General Data Protection Regulation ("GDPR") of the United Kingdom (2020), and any future changes in data protection legislation that The Portman Estate is required to comply with.

When processing your offer to let one of our properties directly, or through one our approved estate agents, or servicing your tenancy after signing an agreement or lease, we process your personal data such as name, address, contact details, email address, reference and identity details (e.g. passport, visa) amongst other things. Processing of this data implies collecting, storing, using or disclosing your personal data.

If You consent to be notified of, or receive other products or services from The Portman Estate, or use any of our websites, You may be provided with further privacy notices which may be contained in a separate policy or within any terms and conditions. These additional privacy notices shall supplement this Privacy Notice.

None of the lists or examples provided in this Privacy Notice is intended to be exhaustive or fully representative of every individual.

2. Scope

The scope of this Privacy Notice covers tenant personal data in respect of the following:

- Collecting Personal Data
- Using Personal Data
- Disclosing Personal Data
- Retaining Personal Data
- Securing Personal Data
- International Data Transfers
- Data Subject Rights

- Updates / Amendments
- Third Party Websites
- Consents ("Opt-in")
- Withdrawal of Consent ("Opt-out")
- Our Details

3. Legal Basis for Processing

As part of processing your personal data we are required to inform you of the legal basis for processing this information:

a. For tenancy or lease applications and fulfilment of that lease we process your personal data for the agreement and performance of that contract.

b. Where you subscribe to receive information about events, property or marketing communications, or wish us to confirm your tenancy details for future reference requests we process your data based on your consent or Legitimate Interest.

c. For the prevention and detection of crime

d. We may also process your personal data where we are required to do so in accordance with a legal obligation (e.g., statutory requirements to notify a tenant, or fraud and crime prevention).

4. Collecting Personal Data

We may collect and store the following kinds of personal data:

a. Information that You provide to Us when you apply to lease one of properties directly (by phone or our website), or via one of our approved Estate Agents.

b. Information that You provide to Us for the purpose of subscribing to our event, property and marketing communications.

c. Information that You provide to Us when agreeing a tenancy agreement or lease with Us, or requesting any services or assistance during your lease, or that is generated during the provision of those services and assistance.

d. Information that You provide to Us when requesting Us to supply a reference about a tenancy agreement or lease you have previously had with Us (for which we still hold records of).

e. Information contained in or relating to any communication that You send to Us through our website, email, in writing, or over the phone.

f. Information that You provide as part of electronically signing agreements with us.

g. Information that You provide in performing anti-money laundering, financial and credit checks as well as for fraud and crime prevention and detection purposes.

h. Information related to the security and access of our systems and applications.

i. Information to help Us comply with our legal and regulatory obligations, including reporting to and being audited by regulators and external auditors.

j. Information to help Us comply with court orders and to exercise and defend our legal rights.

k. Information shared with us for crime prevention and detection purposes

l. The Information that You provide to Us may be provided directly or via one of our approved agents

m. Any other personal information that may be sent to Us and which we use for legitimate business purposes.

Consequences may arise resulting from failure to provide Us with the necessary personal data. For example, an inability to carry out the tenancy reference checks required prior to commencement of a tenancy.

You must not disclose to Us the personal information of another person unless they have had the opportunity to read and agree to this Privacy Notice, and then consent to both the disclosure and the processing of that personal information in accordance with this Privacy Notice.

5. Using Personal Data

We may use your personal information to:

Activity	Lawful basis/es
a. Enable your use of any services that we may provide through our website or third-party websites.	Consent or Legitimate Interest
b. Supply You with our services and support of these services.	Consent or Legitimate Interest
c. Send statements, invoices and payment reminders to You, or to collect payments from you.	Contractual
d. Send You event, property or marketing communications, unless you advise us you would like to opt out.	Consent or Legitimate Interest
e. Deal with enquiries and complaints.	Contractual or Consent
f. Perform anti-money laundering, financial and credit checks.	Contractual
g. Ensure appropriate access to systems and applications.	Contractual
h. Comply with our legal and regulatory obligations.	Contractual

i.	Undertake anonymised statistical monitoring for business purposes.	Legitimate Interest

6. Disclosing Personal Data

We only disclose your personal data in the ways set out in this Privacy Notice or subject to any agreements in place between us. The following circumstances may apply:

a. Across our different business activities, as part of improving our existing services or as part of providing new services.

b. To third parties[1] who process personal data on our behalf.

c. To third parties[1] who process personal data on their own behalf but provide Us, or You, with a service on behalf of us.

d. To third parties[1] with whom information is shared for anti-money laundering checks, Office of Foreign Assets Control (OFAC) sanction checks, debt collection and other fraud and crime prevention purposes.

e. To any regulator, external auditor or applicable body or court where we are required to do so by law or regulation or as part of any investigation.

f. To any central or local government department and other statutory or public bodies, such as HMRC.

g. To Westminster City Council, Thames Water and Full Power Utilities Limited, our appointed agent for utilities.

We will not, without your consent, disclose or supply your personal data to any third party for the purpose of their or any other third party's direct marketing.

7. Retaining Personal Data

Personal data that we process, for any purpose or purposes, shall not be kept for longer than is necessary. The Portman Estate bases its record retention on legal, regulatory, or contractual obligations and our legitimate business interests. For property lets we generally will keep your personal data for a period of 6 years following the end of your lease or termination of the agreement, although this will depend on your lease type. Your personal data will be kept after this period if there are any unresolved complaints, disputes or any outstanding debts remaining to be settled, or if you ask us to retain your personal data for the purposes of providing reference requests. A record of your tenancy will also be retained for permanent reference.

If You have consented to other services, the personal data necessary to provide each service will be retained until You no longer require the service or You withdraw consent.

[1] The third parties we share data with are listed in Section 9

Please note it can take up to 3 months for our archiving processes to remove your records after they have been marked for removal because of scheduled archive processes.

8. Securing Personal Data

Where The Portman Estate acts as the controller of personal data, it will ensure that necessary and adequate safeguards (e.g., encryption) are in place to prevent unauthorised access, loss, misuse or alteration of your personal data.

Where data is stored electronically, we store all personal information on secure servers with relevant access and firewall controls.

Where data is stored on paper, or forms, all personal data is locked away when not in use and disposed of securely after use either using document shredders or third-party disposal organisations who have been contracted to dispose of documents appropriately.

Any personal data sent to Us, either in writing or email, may be insecure in transit and we cannot guarantee its delivery.

Where You use a Password to access any service provided by The Portman Estate this must be kept confidential and not disclosed to anyone else. The Portman Estate does not ask You for your password.

9. Sharing Personal Data

To make our properties available to let, when they become available, we work with an approved list of Estate Agents to market these properties on our behalf. Where You wish to submit an offer to let one of our properties the Estate Agent will share the personal data that You have provided to them with Us to review and approve the let. The Estate Agents on our approved list are:

a. Carter Jonas LLP

b. Cluttons LLP

c. Dexters Estate Agents Limited

d. Crossland Otter Hunt

e. Colliers International

f. Savills

g. Kenningham

h. Cushman & Wakefield

i. Distrkt

j. CBRE

k. Knight Frank LLP

l. Bruce Gillingham Pollard

m. RX London

Managing Agents work with us to manage some of our properties on our behalf and to ensure properties are maintained in line with the terms of your lease or tenancy agreement and any statutory requirements (for example maintaining the exterior or common parts). The Managing Agents we currently work with are:

a. Westbourne Block Management

b. Full Power Utilities Limited

c. Savills Ltd

d. Knight Frank LLP

e. Matthews and Goodman LLP

f. MAPP (Property Management) Limited

We also work with Building Surveying Consultancies which are listed below:

g. Tyburn Consulting (License to Alter applications)

h. Murray Birrell (License to Alter applications)

i. Helme and Partners (License to Alter applications)

j. Malcolm Hollis (Dilapidation claims)

To provide the services to You we share the personal data that You supply with several third parties (this will depend on your lease type):

a. Refinitiv and World-Check who are used to undertake anti-money laundering checks, Politically Exposed Person (PEP) and sanctions checks.

b. Docusign Inc who are used to undertake the electronic digital signing of agreements.

c. MyDeposits Limited who are used to record and hold Your deposit under the terms of the Tenants Deposit scheme.

d. Masterfix GB Limited who are used to provide out of hours, weekend and bank holiday support and servicing to tenants.

e. An approved list of third party companies and contractors who are used to undertake emergency, general maintenance, assessment and repair services to our properties and to arrange viewings for prospective tenants and utility companies who provide utility services to our properties. The current list can be provided on request.

f. Iron Mountain to archive paper records that we are required to keep for legal and regulatory reasons and to dispose of records securely.

g. ANM Communications who are used to provide marketing and general communication services, if You have consented to receive these services.

h. Sighthound who are used to provide corporate PR for the Estate.

i. MailChimp the email platform which is used to facilitate our email newsletters.

j. Marsh Limited, our insurance brokers, and Zurich Insurance Company Ltd, our lead insurer, to provide buildings and public liability insurance cover.

k. Our professional advisors, including solicitors and accounting firms.

l. The registered owner or owners of a property which You lease from by The Portman Estate

To provide the services to You we also use several third parties to manage and support the Portman Estate IT solutions that we use to provide our services:

a. Conosco Group Limited who are used to manage and support the IT systems and infrastructure used by The Portman Estate and to provide IT advice and consultancy.

b. Microsoft Azure from Microsoft to provide IT equipment and services in the Cloud as an Infrastructure as a Service (IaaS) to provide the infrastructure upon which some of The Portman Estate services run.

c. Phoenix Morae to provide an electronic document management system.

d. Hexagon IT to provide the property database and accounting system used by The Portman Estate.

e. The Planon Group to provide the facilities management database used by The Portman Estate.

The Portman Estate agree contractual arrangements with these third-party data processors to ensure that your personal data is protected in compliance with this Privacy

Notice and the data protection legislation that The Portman Estate is required to comply with.

Unless otherwise defined under section 10 all personal data shared with third parties is stored and processed in the UK or EU.

10. International Data Transfers

Personal data that we collect, is predominantly stored and processed in the UK, European Free Trade Area (EFTA) and the European Union, but for specific services may be transferred, stored, processed outside of the EU (designated under GDPR as "Third Countries").

As part of providing our services to You under a tenancy agreement or lease we will use third party data processors from Third Countries as outlined below:

a. Docusign Inc which is based in the USA.

b. If you have signed up for marketing communications from Us, The Rocket Science Group LLC (trading as MailChimp) which is based in the USA.

The Portman Estate has agreed contractual agreements with these third-party data processors to safeguard your personal data as required by GDPR when transfers are undertaken to Third Countries. Under GDPR Article 13 (1) (f), You have a right to obtain a copy of these safeguards. Any request will be responded to free of charge, with a copy of the clauses as they have been used. This includes the modules/options as selected, as well as the completed and signed annexes (where the parties to the agreement provide details about the data transfer) If You wish to know more or obtain a copy of the safeguards, please contact The Portman Estate as outlined in Section 17.

You expressly consent to the transfers of personal data described in this section for the purposes stated.

11. Data Subject Rights

Individual rights may differ depending on the lawful basis used for processing the data. The sections below set out these rights and state under which circumstances these rights can be applied.

<u>Subject Access Requests</u>

You may instruct Us to provide You with any personal data we hold about You as part of a Subject Access Request. The provision of such information will be provided to You free of charge, within one month of verifying your identity, and subject to:

a. Appropriate evidence of your identity, such as a passport, driving licence, a recent bank statement or utility bill.

b. The request not being excessive in which case we will notify You within one month to let you know when the request can be completed. For repetitive requests we may leverage a charge which we will agree with You in advance.

In certain instances, where exemptions exist, we may withhold personal data that You request, and which is permissible by law.

Right to Rectification

You may wish to contact Us if the personal data that we hold about You needs to be corrected or updated.

Right to Erasure (Right to be forgotten)

At the completion of your tenancy agreement or lease with us, or after termination, You can contact us if You wish to have your information erased to exercise your right to be forgotten, where this is applicable. This is subject to our rights to retain certain information relating to your tenancy, as set out in Section 7 of this Privacy Notice.

Right to Object (including withdrawal of consent)

For any additional services that You have consented to receive, including for event, property, marketing and communications purposes You may instruct Us at any time not to process your personal data for each purpose by means of withdrawing consent ('opting-out').

Right to Restriction of Processing

If You contest the accuracy of your personal data, or consider that the processing is unlawful and You do not want Us to erase your personal data, or we no longer need this data for the purpose of the services we provide, You may instruct Us to restrict processing of this data.

Automated Decisions

In supplying You with our services we do not make decisions affecting you solely by automated means.

Right to Data Portability

You may instruct Us to provide You with the personal data we hold about You in a structured, commonly used and machine-readable format. You may also request that we transmit this data directly to another controller.

12. Updates / Amendments

To remain compliant with any legal and regulatory obligations, or as part of our evolving business practices, we may update this Privacy Notice from time to time by publishing a new version on our website.

13. Third Party Websites

We are not responsible for the practices employed by Third Party Websites linked to or from our Website nor the information or content contained therein. Often links to other websites are provided solely as reference points to information on topics that may be useful to the users of our Website. Please remember that when You use a link to go from our Website to a Third-Party Website, our Privacy Notice will no longer apply. Your browsing and interaction on any other Website, including Third Party Websites, which have a link on our Website, are subject to that Website's own Privacy Notice.

14. Consents (“Opt-in”)

Your personal data is provided for the purpose of leasing You one of our properties under the terms of a tenancy agreement or lease agreed between You and Us.

However, The Portman Estate would like to keep You informed about The Portman Estate services which You can elect to, or decline from, receiving. You can opt-in to receive these services via www.portmanmarylebone.com.

15. Withdrawal of Consent (“Opt-out”)

You have the right, at any time, to ask Us not to process your personal data for marketing purposes and any additional services that You have consented to receive.

You can opt-out of receiving any of these services and communications simply by clicking the unsubscribe link on any emails You receive, or by contacting The Portman Estate as outlined in Section 17.

Please note it can take up to 30 days for a request to be fulfilled for general Portman Estate communications because of pre-planned or ongoing activity.

16. Fraud

The Portman Estate retains the right to alert the authorities and notify relevant parties if fraudulent referencing information is provided to the Estate or its agents.

17. Data Protection Registration

The Portman Estate is registered as a data controller with the UK Information Commission's Office. Our data protection registration numbers are **Z5222212, Z329478X, ZB037575** and **C1591350** .

18. Our Details

The Portman Estate Nominees (One) Limited is registered in England and Wales under company number **05175327.**

The Portman Estate Nominees (Two) Limited is registered in England and Wales under company number **05175370.**

Berkeley Street Nominees Limited is registered in England and Wales under company number **06073998**.

Seymour Street Nominees Limited is registered in England and Wales under company number **01711120**.

Portman Settled Estates Limited is registered in England and Wales under company number **01055334.**

Portman Burtley Estate Company Limited is registered in England and Wales under company number **00554747**.

The Portman Estate (Primary) Limited is registered in England and Wales under company number **09967998.**

The registered office of these companies is 4th Floor, One Great Cumberland Place, London, England, W1H 7AL.

You can contact Us as follows:

Email:	dataprotection@portmanestate.co.uk
Telephone:	+44 (0) 207 563 1400
In Writing:	Data Protection Officer The Portman Estate, 4th Floor One Great Cumberland Place, London, England, W1H 7AL

19. Complaints

If you are unhappy with the way in which The Portman Estate uses and processes your personal data, you can lodge your complaint with us in the first instance. We will respond to you within 30 days.

Please submit your query by email to: **dataprotection@portmanestate.co.uk**

Alternatively, please use the postal details above to contact us.

If we are unable to answer the query to your satisfaction, you may complain to the

Information Commission's Office (the supervisory authority that enforces data protection regulations in the UK). The ICO can be contacted on 0303 123 1113 or you can refer to their website at https://ico.org.uk.