



**LGL-POL-10-04**

# **Torus Group Data Protection Policy**

April 2024

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<b>Ref: LGL PRC 02 04</b>	<b>Title: Data Breach Notification Procedure</b>		
<b>Ref: LGL PRC 04 05</b>	<b>Title: Data Subject Rights (SAR) Procedure</b>		

<b>Ref: LGL PRC 05 01</b>	<b>Title: Data Protection Impact Assessment (DPIA) Procedure</b>
<b>Ref: GOV POL 07 02</b>	<b>Title: Data Retention and Disposal Policy</b>
<b>Ref: LGL-PRC-08-02</b>	<b>Title: Group Data Sharing Procedure</b>
<b>Appendix 1</b>	<b>Title: Glossary</b>
<b>Appendix 2</b>	<b>Title: Website Customer Privacy Notice</b>

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## 1. Scope

- 1.1** This policy applies to all information pertaining to individuals that is personally identifiable. It covers the complete data processing lifecycle, including collection, storage, and disposal, regardless of the format in which the data is held—whether in a physical (such as paper) or digital (such as on computers, mobile devices, etc.)
- 1.2** This policy applies to all processing of personal data by, within, or on behalf of Torus Group and any members of the Group including: Torus62 Limited; Torus Foundation, Torus62 Developments Limited and Housing Management Solutions Limited (collectively referred to as Torus’).

## 2. Policy Statement

- 2.1** This Policy outlines Torus’s approach to handling data in accordance with our legal obligations under the United Kingdom General Data Protection Regulation (UK GDPR). It is everyone’s responsibility to comprehend the details of this policy, ensuring that Torus achieve the following objectives:
- **Maintain customer and colleague trust:** Understanding and adhering to this policy is crucial for retaining the trust of our customers and colleagues in how we manage their personal data.
  - **Safeguard against harm:** By following this policy, we protect our customers and colleagues from potential harm or distress caused by mishandling of their personal data.
  - **Protect Organisational integrity:** Comprehending and implementing the guidelines in this policy is vital for shielding our organisation from the repercussions of failing to meet its responsibilities under the data protection regulation.

## 3. Roles and Responsibility

- 3.1 All Colleagues:** Are required to report any data protection issues or concerns to their respective line manager or by contacting the Data Protection Team at [dpo@tous.co.uk](mailto:dpo@tous.co.uk). All colleagues must possess adequate awareness of this policy, understanding its relevance to their job role and receive sufficient training to perform their duties in accordance with this policy. Every colleague bears a legal obligation to adhere to Torus’s directive and procedures on data protection. Errors in data protection may put colleagues at the risk of disciplinary measures, while also subjecting Torus to potential fines, enforcement actions, compensation claims, and harm to its reputation.
- 3.2 Line Managers:** Managers and supervisory staff must ensure that all data processing operations within their authority, area of responsibility, or commissioned by them adhere to the guidelines set out in this policy and other relevant data protection policies and procedures.

**3.3 Overall responsibility:** Torus have designated our Group Data Protection Officer (“DPO”) to have overall responsibility, and their role is to:

- provide policies, guidance and training needed to ensure Torus is compliant with Data Protection Legislation.
- Support colleagues in the management of risk around managing personal data.
- monitor and report to senior management in respect of compliance with this policy, investigate any breaches, and maintain suitable records of processing activities.
- have the option to enlist the support of other individuals in managing data protection responsibilities.
- Be responsible for monitoring and tracking the development of the Data Protection Legislation, case law, guidance, and codes of practice and incorporating relevant changes into Torus’ policy.
- co-ordinate responses to subject access requests.
- Report to Committee on compliance with UK GDPR.

**3.4** Torus will make sure that colleagues understand the language of data protection. A summary of what the key terms mean is given in the Glossary (Appendix 1)

## 4. Implementation

**4.1** The key to comply with the legislation and any relevant regulations is to ensure Torus apply the principles below to all of our personal data processing activities. This will demonstrate sufficient controls to ensure that it is able to demonstrate compliance with the legislation.

- (a) **Lawfulness, Fairness and Transparency:** Processed lawfully, fairly and in a transparent manner in relation to individuals (data subjects)
- (b) **Purpose Limitation:** Collected for specified, explicit and legitimate purposes and not further processed in a manner that is inconsistent with those purposes.
- (c) **Data Minimisation:** Adequate, relevant, and limited to what is necessary in relation to the purpose for which they are processed.
- (d) **Accuracy:** Personal data must be accurate and kept-up-to-date, and appropriate measures must be implemented to rectify any inaccuracies, ensuring that inaccurate personal data is either erased or corrected without delay.
- (e) **Storage Limitation:** Personal data should be retained for no longer than necessary for the purpose for which it was collected.
- (f) **Integrity and Confidentiality (Security):** Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction, or damage, using appropriate

technical or organisational measures.

- (g) **Accountability:** Data Controllers are accountable for demonstrating compliance with these principles, implementing appropriate measures, and maintain records of data processing activities.

**4.2** Torus will ensure that all employees are provided with appropriate training on Data Protection which will help in meeting the principles above and other procedures ensuring compliance with all data protection responsibilities. Torus will also ensure employees undertake data protection awareness i.e. raising activities from time to time to keep data protection front of mind.

**4.3** Mandatory e-learning training for data protection should be completed by all colleagues at the start of employment and then refreshed every 2 years.

#### **4.4 Personal Data Breaches**

Torus have systems and processes in place to safeguard personal data. However, in the unlikely event of a data breach, Torus has a process to support this. Please refer to the document labelled 'Data Breach Notification Procedure' (LGL PRC 02 01). The data breach Notification procedure sets out colleagues responsibilities, decision-making criteria, timescales for notifying data subjects (if necessary and appropriate), the Information Commissioner (if necessary and appropriate), and the media (if necessary and appropriate) about a personal data breach.

Data protection near misses are also recorded and investigated in accordance with the Data Breach Notification Procedure .

#### **4.5 Subject Access Requests (SAR)**

Torus acknowledges the rights of each individual (data subject) to seek information about themselves held by an organisation.

A SAR applies to all personal data including sensitive data held by Torus or by third parties acting on behalf of Torus. Compliance with the legal obligation of dealing with SARs within one calendar month is mandatory. Please refer to the document labelled 'Data Subject Rights Procedure' (LGL PRC 04 01) for further guidance.

#### **4.6 Data Processors**

Torus retains the authority to outsource data processing activities or operations related to the handling of personal data to enhance business efficiency and effectiveness. Please refer to the document labelled: 'Group Data Sharing Procedure' (LGL-PRC-08-02) for detailed information and assistance. Individuals seeking to engage a data processor must conduct thorough due diligence on the prospective data processor and ensure they have adequate contractual arrangements or standalone data sharing agreements in place. The DPO and Group Head of Procurement will provide necessary advice and guidance as required.

No individual is permitted to commission or appoint a third party to process data on

behalf of Torus without adhering to this policy and the Group Data Sharing Procedure.

#### **4.7 Data sharing, disclosure, and transfer**

Torus may only share personal data, or disclose personal data to other organisations and third parties where there is a legal basis for doing so and the data sharing is necessary for specified purposes. For more information, please refer to the document labelled 'Group Data Sharing Procedure' (LGL-PRC-08-02).

Torus will provide guidance to all colleagues detailing secure and authorised approaches for the transferring of personal data to recipients. It is mandatory that Colleagues use only approved methods of data transfers. Methods which are considered acceptable can be found within the ICT information Transfer Policy. Failure to adhere to the ICT information Transfer Policy and resorting to unsafe or insecure transfer methods may result in disciplinary action, unless such methods have been approved in writing by the Group Director of ICT and Transformation.

#### **4.8 International transfers of personal data**

Torus may not engage in the transfer or processing of personal data outside the United Kingdom unless it adheres to the conditions specified in the Data Protection Regulation. For more information, please refer to the document labelled 'Group Data Sharing Procedure' (LGL-PRC-08-02)

#### **4.9 Data Protection Impact Assessment (DPIA)**

Torus is committed to upholding the principles and promoting a culture of Data Protection by design and default. A procedure for Data Protection Impact Assessments (DPIA) ensures the undertaking and documentation of DPIAs. The DPO maintains a DPIA risk register, periodically reviewing identified data protection compliance risks for Torus. For more information, please refer to the document labelled 'Data Protection Impact Assessment Procedure' (LGL PRC 05 01)

#### **4.10 Children's data**

Torus will implement specific measures when processing personal data concerning children under the age of thirteen (as only children aged thirteen or over can provide their own consent). This includes addressing the nature of privacy information provided and the approach to information rights requests.

#### **4.11 Special Categories of Personal Data**

Certain sensitive data may be processed to ensure the effective operation of Torus (e.g., data related to health, disabilities, or sexual orientation) for the purposes of (for example) implementing an internal or external equal opportunities policies, sick pay policies or providing information to government bodies.

"Special categories" of particularly sensitive personal information require higher levels of protection. Processing this type of information necessitates additional justification



for collecting, storing, and using, and may process in the following circumstances:

- In limited situations, with explicit written consent.
- When necessary to fulfil legal obligations and aligned with this data protection policy.
- Where required in the public interest, such as for equal opportunities monitoring, and aligned with this data protection policy.
- When necessary for a legal claim or to safeguard the interests of the data subject (or a third party) without the capacity to provide consent, or where the information has already been made public.

#### **4.12 Audit and compliance checking**

Torus conducts compliance assessments to evaluate adherence to its policies and procedures, as well as the effectiveness of control measures. In cases of non-compliance, it is essential to implement appropriate recommendations or actions. Failure to address reasonable recommendations or actions identified during data protection audits may lead to disciplinary measures for individuals. The Group Audit and Risk Committee will be informed about audit results, and periodic updates on these findings provide additional assurance.

## **5. Equality and Diversity**

Torus is dedicated to fostering an inclusive and diverse environment in all aspects of its operations, including data protection. We are committed to treating all individuals with fairness, dignity, and respect, regardless of their characteristics or backgrounds. Our data protection practices align with the principles of equality and diversity, aiming to eliminate discrimination and ensure equitable treatment. We recognise the importance of diversity in decision-making processes and strive to create an atmosphere where all individuals, regardless of race, ethnicity, gender, sexual orientation, disability, age, religion, or any other protected characteristic, feel valued and included.

## **6. Monitoring & Review**

The policy is owned, updated, and reviewed by the Group Data Protection Officer.

The policy will be reviewed every three years unless there is a change in legislation which means that it must be amended before that date.

## 7. Appendix 1 Glossary

Data Protection Legislation	the UK General Data Protection Regulation (UK GDPR) and Data Protection Act 2018 (DPA 2018) sets out legal responsibilities on all organisations processing personal data and established rights for individuals whose data is being processed. Penalties can be imposed on organisations processing personal data including fines of up to £ 17,500,000 or 4% of total annual turnover, whichever is higher. There are several criminal offences set out in the Act and individuals can be held accountable and be sentenced by the courts for any offences committed.
Data Controller	Any organisation that determines the purposes and means of the processing of personal data.
Data Processor	This is a third party who collects an/or uses personal data on behalf of the Data Controller (Torus Group). These typically include our outsources third party suppliers, such as suppliers who manage our IT systems, document shredding companies, those who host our application, such as our e-learning platform.
Data subject	an individual whose data is collected, held, and/or processed by a data controller for varying purposes and who can be identified, directly or indirectly, by reference to such personal data.
Personal data	Any information relating to an identified or identifiable natural person, including a name, an identification number, location data, an online identifier to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural, or social identity of that natural person.
Natural person	A living human being.
Special Categories	means any personal data revealing racial or ethnic origin, political, of Personal Data opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation; The processing of this data needs greater protection.
Processing	means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;
Information Incident	means an identified occurrence or weakness indicating a possible breach

of information security or failure of safeguards, or a previously unknown situation which may be relevant to the security of information.

**Personal Data Breach** means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored, or otherwise processed.

**Risk** The chance of something happening, which will have an impact upon objectives. It is measured in terms of consequence and likelihood.

**Risk Management** The culture, processes and structures that are directed towards the effective management of potential opportunities and adverse effects.

**Corporate Data** Corporate data relates to any sensitive corporate information including meeting schedules, agendas, and minutes of meetings; financial accounts; contracts; and organisational policies and procedures.

**Recipient** means a natural or legal person, public authority, agency, or another body, to which the personal data is disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients; the processing of that data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing.

**Third party** Means a natural or legal person, public authority, agency, or body other than the data subject, controller, processor, and persons who, under the direct authority of the controller or processor, are authorised to process personal data.

**Profiling** Is any form of automated processing of personal data intended to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict that person's performance at work, economic situation, location, health, personal preferences, reliability, or behaviour. This definition is linked to the right of the data subject to object to profiling and a right to be informed about the existence of profiling, of measures based on profiling and the envisaged effects of profiling on the individual.

**Consent** Means any freely given, specific, informed, and unambiguous indication of the data subject's wishes by which the person, by way of a statement or by a clear affirmative action, signifies agreement to the processing of personal data.

**Data Protection by design and default** The UK GDPR requires organisations to integrate data protection concerns into every aspect of their processing activities. This approach is 'data protection by design and by default'. It is a key element of the UK

GDPR's risk-based approach and its focus on accountability, i.e. An Organisation's ability to demonstrate how you are complying with its requirements.

## 8. Appendix 2 Torus Group Website Privacy Policy

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## Introduction

Welcome to our privacy policy.

Please note that this privacy policy relates to the activities of Torus62 Limited (Torus), Torus Developments Limited (Torus Developments), Torus Foundation (Torus Foundation) and Housing Maintenance Solutions Limited (HMS) (collectively referred to as the "Torus Group", "we", "us" or "our" in this privacy policy).

The Torus Group respects your privacy and is committed to protecting your personal data. This privacy policy will inform you as to how we look after your personal data when you visit our website(s) (regardless of where you visit it from) and tell you about your privacy rights and how the law protects you.

Please also use the Glossary to understand the meaning of some of the terms used in this privacy policy.

By using this website, you signify your acceptance of this policy. If you do not agree to this policy, please do not use our website(s). Your continued use of the website(s) following the posting of changes to this policy will be deemed your acceptance of those changes.

### 1. Important information and who we are.

#### Purpose of this privacy policy

This privacy policy aims to give you information on how the Torus Group collects and processes your personal data through your use of this website, including any data you may provide through this website when you enquire about our services.

It is important that you read this privacy policy together with any other privacy policy or fair processing policy we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy policy supplements other notices and privacy policies and is not intended to override them.

#### Controller

This privacy policy is issued on behalf of the Torus Group so when we mention Torus Group, "we", "us" or "our" in this privacy policy, we are referring to the relevant company in the Torus Group responsible for processing your data.

We will let you know which entity will be the controller for your data when you purchase a product or service with us. Torus is the controller and responsible for this website.

We have appointed a data protection officer (DPO) who is responsible for overseeing questions in relation to this privacy policy. If you have any questions about this privacy policy, including any requests to exercise your legal rights, please contact us using the details set out below.

#### Who is the Torus Group and how to get in touch?

If you have any questions about this privacy policy or our privacy practices, please contact our DPO in the following ways:

Torus (trading as Torus Landlord and Torus Homes)

Torus trades under the names Torus Landlord and Torus Homes.

- **Torus Landlord** provides social and other types of housing, including property and grounds maintenance and repair; housing, tenancy or lease management and account as your landlord; and additional optional services such as organising and assisting community events; offering opportunities to be involved (co-regulation); providing welfare, benefits and debt advice; adaptations made to the properties we manage; and selling properties.
- **Torus Homes** sells affordable homes.

Full name of legal entity: Torus62 Limited, a registered society in England and Wales (Company No. RS007826)

Email address: [dpo@torus.co.uk](mailto:dpo@torus.co.uk)

Postal address: 4 Corporation Street, Helena Central, St. Helens, Merseyside, WA9 1LD, United Kingdom

#### Torus Developments

Torus Developments is one of the biggest developers in the Northwest and delivers new homes for rent, affordable home ownership and to meet the needs of the aging population.

Full name of legal entity: Torus Developments Limited, a private limited company in England and Wales (Company No. 09687200)

Email address: [dpo@torus.co.uk](mailto:dpo@torus.co.uk)

Postal address: 4 Corporation Street, Helena Central, St. Helens, Merseyside, WA9 1LD, United Kingdom

#### Torus Foundation

Torus Foundation is a Registered Charity regulated by the Charities Commission which provides advice and assistance to adults and children in relation to employment, health and wellbeing, digital inclusion, and financial inclusion; sports and activities; and grant funding to build the capacity of other charitable and community organisations.

Full name of legal entity: Torus Foundation, a private limited company by guarantee in England and Wales (Company No. 08444912) and a registered charity with the charity commission (Registration No. 1152903)

Email address: [dpo@torus.co.uk](mailto:dpo@torus.co.uk)

Postal address: 4 Corporation Street, Helena Central, St. Helens, Merseyside, WA9 1LD, United Kingdom

#### HMS

HMS is a wholly owned subsidiary of Torus and undertakes property maintenance and repair to both domestic and commercial premises; general construction activities including new build developments; planned maintenance and property Improvement Programme works; facilities maintenance including, grounds maintenance, cleaning, and caretaking. installation, servicing, and maintenance to gas appliances; installation, testing and maintenance of

electrical systems; and independent living adaptations to properties.

HMS also provides additional optional services including organising and assisting community events, and apprentice training opportunities.

Full name of legal entity: Housing Maintenance Solutions Limited, a private limited company in England and Wales (Company No. 07237932)

Email address: [dpo@torus.co.uk](mailto:dpo@torus.co.uk)

Postal address: 4 Corporation Street, Helena Central, St. Helens, Merseyside, WA9 1LD, United Kingdom

You 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](http://www.ico.org.uk)) and/or to the Housing Ombudsman Service (HOS), the UK supervisory authority for housing organisations registered with them (<http://www.housing-ombudsman.org.uk/>). We would, however, appreciate the chance to deal with your concerns before you approach the ICO and HOS so please contact us and our customer service teams in the first instance.

Changes to the privacy policy and your duty to inform us of changes.

We keep our privacy policy under regular review. This version was last updated in May 2021. Historic versions can be obtained by contacting us.

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 website 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 website, we encourage you to read the privacy policy of every website you visit.

## 2. The data we collect about 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).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

- in respect of the Torus Group:
  - **Usage Data** includes information about how you use our website and services, for example inputting details of your transactions to utilise features on the site; and
  - **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.
- in respect of suppliers of the Torus Group:
  - **Identity Data** includes first name, maiden name, last name, accreditations, qualifications.
  - **Contact Data** includes billing address, delivery address, email address and



telephone numbers.

- **Financial Data** includes VAT numbers, bank account and insurance details; and
- **Technical Data** includes the type of device you have used to access the site (including the make, model, operating system, internet protocol (IP) address and browser type, your login data and version, time zone setting and location, browser plug-in types and versions).
- in respect of potential home buyers from Torus Homes:
  - **Identity Data** includes proof of your identity / photo ID, first name, maiden name, last name, title, date of birth, gender, marital status, status (first time buyer or current homeowner) and details of anyone that will be living with you and landlord references.
  - **Profile Data** includes your interests, preferences (including details of the developments you are interested in and locations), feedback and survey responses.
  - **Contact Data** includes billing address, delivery address, email address and telephone numbers, details of professional advisors (name of independent financial advisors and solicitors).
  - **Financial Data** includes bank details, savings, proof of deposit, bank statements, lender details, mortgage offer, maximum amount of money you are able to borrow (as confirmed by your independent financial advisors); and
  - **Technical Data** includes the type of device you have used to access the site (including the make, model, operating system, internet protocol (IP) address and browser type, your login data and version, time zone setting and location, browser plug-in types and versions).
- in respect of customers of Torus Landlord:
  - **Identity Data** includes proof of your identity / photo ID, first name, maiden name, last name, details of anyone acting on your behalf, title, date of birth, gender, marital status, National Insurance number (your unique identifier), proof of address details, proof of housing eligibility, any interest or equity in other property, medical details (allergies, health conditions, disabilities, or vulnerabilities), of all household residents;
  - **Contact Data** includes billing address, delivery address, email address and telephone numbers.
  - **Financial Data** includes VAT numbers, bank account, insurance, payment card details, pay slips, income details and bank statements and financial information to provide assistance and advice on financial matters; and
  - **Technical Data** includes the type of device you have used to access the site (including the make, model, operating system, internet protocol (IP) address and browser type, your login data and version, time zone setting and location, browser plug-in types and versions).
- in respect of beneficiaries, the tenant(s), leaseholder(s), or member(s) of Torus Foundation:
  - **Identity Data** includes proof of your identity / photo ID, first name, maiden name, last name, details of anyone acting on your behalf, title, date of birth, gender, medical details (allergies, health conditions, disabilities, or vulnerabilities) of all household residents.
  - **Contact Data** includes emergency contacts, billing address, delivery address, email address and telephone numbers.
  - **Financial Data** includes financial information to provide assistance and advice on financial matters.
- **Transaction Data** includes details about payments to and from you and other details of products and services you have purchased from us (although card details are not stored); and
- in respect of HMS:

- **Identity Data** includes proof of your identity / photo ID, first name, maiden name, last name, details of anyone acting on your behalf, title, date of birth, gender of all household residents.
- **Contact Data** includes billing address, delivery address, email address and telephone numbers; and
- **Transaction Data** includes details about payments to and from you and other details of products and services you have purchased from us (although card details are not stored).

We also collect, use, and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data could be derived from your personal data but is not considered personal data in law as this data will not directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing interested in particular services. 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 policy.

Torus and Torus Foundation are the only entities which will collect any **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).

Torus may also collect further personal data that will vary on a case by case basis to help us resolve breach of tenancy, alleged anti-social behaviour or fraud whilst Torus Foundation may also collect other personal information that will vary on a case by case basis to help us resolve behavioural issues (including any information about criminal convictions and offences).

#### Children's personal data

Unless otherwise set out in this privacy policy, only Torus Foundation usually processes data relating to children and all other website(s) are not intended for children and we do not knowingly collect data relating to children on these website(s). Torus Foundation processes data collected from children in respect of the following activities:

- FireFit Hub memberships.
- Health bursaries.
- School holiday camps.
- Engagement in health and wellbeing activities; and
- Incidents / accidents and safeguarding concerns.

Torus does not normally process children's information as part of a tenancy, as all tenants are adults. However, we record children's basic information if they are resident in one of our properties, including their name and date of birth.

This is required for checking the property is not overcrowded and to assess other tenancy management issues where all householders and ages are required to be known.

We may receive children's information if we are involved in the housing and tenancy aspects of a welfare case as part of a multi-agency working solution.

#### If you fail to provide personal data

Where we need to collect personal data by law, or under the terms of a contract we have with you,

and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with services). In this case, we may have to cancel a product or service you have with us, but we will notify you if this is the case at the time.

### 3. How is your personal data collected?

We use different methods to collect data from and about you including through:

- **Direct interactions.** You may give us your Identity and Contact Data by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:
  - apply for our housing, products, or services.
  - create an account on our website.
  - subscribe to our services or publications.
  - request marketing to be sent to you.
  - enter a promotion or survey; or
  - give us feedback or contact us.
- **Automated technologies or interactions.** As you interact with our website, we will automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies and other similar technologies. Please see our [cookie policy](#) for further details.
- **Third parties or publicly available sources.** We will receive personal data about you from various third parties and public sources as set out below:
  - Technical Data from the following parties:
    - analytics providers.
    - advertising networks based; and
    - search information providers.
  - Identity and Contact Data from data brokers or aggregators and publicly available sources such as Companies House and the Electoral Register based inside the EU.

### 4. How we use your personal data

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances: where we need to perform the 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 obligation.
- if you are a new supplier:
  - where it is necessary to add you to our system to enable purchase orders and payments to be made.
  - where you are providing information as part of a new supplier procurement process this information is part of the selection process.
  - where we need to ensure that your business is financially viable, we may conduct checks via Experian.

If you choose to send us an email via the website, we simply collect your name, email address and the nature of your enquiry. This allows us to respond to your query quickly and efficiently. Once we have responded, assuming your query is dealt with, we delete this data.

Please go to the Glossary to find out more about the types of lawful basis that we will rely on to process your personal data.

Generally, we do not rely on consent as a legal basis for processing your personal data although we will get your consent before sending third party 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.

**Purposes for which we will use your personal data.**

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground, we are relying on to process your personal data where more than one ground has been set out in the table below.

<b>Purpose/Activity</b>	<b>Type of data</b>	<b>Lawful basis for processing including basis of legitimate interest</b>
<b>Torus Group</b>		
To register you as a new customer / supplier	(a) Identity (b) Contact	Performance of the services for you
To process and deliver your order including:  (a) Manage payments, fees, and charges.  (b) Collect and recover money owed to us	(a) Identity (b) Contact (c) Financial (d) Transaction (e) Marketing and Communications	(a) Performance of a contract with you  (b) Necessary for our legitimate interests (to recover debts due to us)
To register you as a user to comment or use certain features of the site	(a) Identity (b) Contact	Performance of the services for you
To manage our relationship with you which will include:	(a) Identity	(a) Performance of the services for you

<p>(a) Notifying you about changes to our terms or privacy policy.</p> <p>(b) Asking you to leave a review or take a survey; and</p> <p>(c) Providing marketing materials (such as a newsletter) to you subject to opting-in to such marketing materials.</p>	<p>(b) Contact</p> <p>(c) Profile</p> <p>(d) Marketing and Communications</p>	<p>(b) Necessary to comply with a legal obligation</p> <p>(c) Necessary for our legitimate interests (to keep our records updated and to study how members use our products/services)</p>
<p>To enable you to partake in a complete a survey or promotional activities.</p>	<p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Profile</p> <p>(d) Usage</p> <p>(e) Marketing and Communications</p>	<p>(a) Performance of the services for you</p> <p>(b) Necessary for our legitimate interests (to study how members use our products/services, to Develop them and grow our business)</p>
<p>To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)</p>	<p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Technical</p>	<p>(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise)</p> <p>(b) Necessary to comply with a legal obligation</p>
<p>To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you</p>	<p>(a) Identity</p> <p>(b) Contact</p> <p>(c) Profile</p> <p>(d) Usage</p> <p>(e) Marketing and Communications</p> <p>(f) Technical</p>	<p>Necessary for our legitimate interests (to study how members use our products/services, to develop them, to grow our Business and to inform our marketing strategy)</p>
<p>To use data analytics to Improve our website, products/services, marketing, member Relationships and experiences</p>	<p>(a) Technical</p> <p>(b) Usage</p>	<p>Necessary for our legitimate Interests (to define types of members for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)</p>

To make suggestions and recommendations to you about services that may be of interest to you	(a) Identity (b) Contact (c) Technical (d) Usage (e) Profile (f) Marketing Communications	and Necessary for our legitimate interests (to develop our products/services and grow our business)
To administer any content uploaded to the website in forum or blog sections or otherwise.	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing Communications (f) Technical	and (a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise) (b) Necessary to comply with a legal obligation
<b>Torus</b>		
To inform business insights, for example when we are determining the make-up of our supply chain relating to geography, size and financial viability.	(a) Identity (b) Contact (c) Financial	(a) Necessary for our legitimate interests (to review our supply chain in respect of our products/services, to develop them and grow our business)
To administer prospective candidate applications via a recruitment portal operated by a third-party provider.	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing Communications (f) Technical	and (a) Necessary for our legitimate interests (to assess new candidates in respect of job openings)
<b>Torus Homes</b>		
To arrange a viewing.	(a) Identity (b) Contact	(a) Performance of the services for you
To provide updates about our new homes and developments, sites, homes	(a) Identity (b) Contact	(a) Performance of the services for you

or events you might be interested in.		
To ensure that you qualify for shared ownership.	(a) Identity (b) Contact (c) Financial	(a) Performance of the services for you
To enables us to complete the sale of the property.	(a) Identity (b) Contact (c) Financial	(a) Performance of the services for you
To assess demand for specific areas or property types.	(a) Identity (b) Contact (c) Financial	(a) Performance of the services for you
To enter into our tenancy or contract with you.	(a) Identity (b) Contact (c) Transaction	(a) Performance of the services for you  (b) Necessary to comply with a legal obligation
<b>Torus Landlord</b>		
To manage your account charges and payments, including arrears.	(a) Identity (b) Contact (c) Financial (d) Transaction (e) Marketing and Communications	(a) The processing is necessary for the performance of our tenancy (or contract) with you. We use this basis for all processing concerning the managing of your tenancy, your account with us and your property.  (b) Necessary to comply with a legal obligation
To manage the repairs, maintenance, and adaptations of our properties.	(a) Identity (b) Contact (c) Financial (d) Transaction (e) Marketing and Communications	(a) Performance of the services for you  (b) Necessary for our legitimate interests (to maintain our properties)  (c) Necessary to comply with a legal obligation
To ensure tenancy (or contract) conditions are	(a) Identity	(a) Performance of the services for you

complied with, such as dealing with anti-social behaviour or fraud.	(b) Contact (c) Financial (d) Transaction	(b) Necessary for our legitimate interests (to deal with anti-social behaviour, detecting and prosecuting fraud or otherwise ensuring that tenancy conditions are complied with)  (c) Necessary to comply with a legal obligation
To check that you are eligible for a social housing property.	(a) Identity (b) Contact (c) Financial (d) Transaction	(a) Performance of the services for you  (b) Necessary for our legitimate interests (to check your eligibility)  (c) Necessary to comply with a legal obligation
To carry out affordability checks when looking at allocating a property.	(a) Identity (b) Contact (c) Financial (d) Transaction	(a) Performance of the services for you  (b) Necessary for our legitimate interests (to check your eligibility)  (c) Necessary to comply with a legal obligation
To check you are able to manage a tenancy.	(a) Identity (b) Contact (c) Financial (d) Transaction	(a) Performance of the services for you  (b) Necessary for our legitimate interests (to check your suitability)  (c) Necessary to comply with a legal obligation
<b>Torus Foundation</b>		
To match suitable opportunities to your needs e.g., financial assistance	(a) Identity (b) Contact (c) Financial (d) Transaction	(a) Performance of the services for you  (b) Necessary for our legitimate interests (to check your suitability)  (c) Necessary to comply with a legal obligation
To manage your membership or your child's engagement with the services on offer.	(a) Identity (b) Contact (c) Financial	(a) Performance of the services for you  (b) Necessary to comply with a legal obligation
<b>HMS</b>		



To maintain and manage repairs and adaptations of properties both domestic and commercial and open spaces.	(a) Identity (b) Contact (c) Transaction	(a) Performance of the services for you (b) Necessary to comply with a legal obligation
To conduct surveys regularly and periodically relating to our services in order to gauge satisfaction and make improvements based on feedback.	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications (f) Technical	(a) Necessary for our legitimate interests (to make relevant improvements to the services)

**Marketing**

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising. We have established the following personal data control mechanisms:

- **Promotional offers from us**

We may use your Identity, Contact, Technical, Usage and Profile Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products, services and offers may be relevant for you (we call this marketing).

You will only receive marketing communications from us if you have opted-in to receive direct marketing. You may remove your consent to receive direct marketing or object about direct marketing by contacting the relevant Torus Group entity by the contact information above.

- **Third-party marketing**

We will get your express opt-in consent before we share your personal data with any third party for marketing purposes.

- **Opting out**

You can ask us or third parties to stop sending you marketing messages at any time by following the opt-out links on any marketing message sent to you or by contacting us at any time.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of a service purchase, warranty registration, service

experience or other transactions.

Torus Foundation customers receive our newsletter electronically with information about what is going on within the organisation. You may opt-out of receiving this by contacting [info@torusfoundation.org.uk](mailto:info@torusfoundation.org.uk).

- **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 website may become inaccessible or not function properly. For more information about the cookies we use, please see <https://www.torus.co.uk/cookie-policy/>.

- **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. Photographs may be taken and used for general marketing providing individuals give consent for business related purposes.

## **5. Disclosures of your personal data**

We may share your personal data with the parties set out below for the purposes set out in the table above:

- Internal Third Parties as set out in the Glossary.
- External Third Parties as set out in the Glossary.
- Specific third parties such as:
  - Alcumus Group Limited t/a Safe Contractor – for the provision of health and safety accreditations.
  - The Rocket Science Group LLC t/a Mailchimp – for the provision of communication and marketing services (including SNAP surveys) for the benefit of Torus.
  - Microsoft – for use of Microsoft Teams to communicate internally within the Torus Group; and
  - Google Analytics.
- 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 policy.

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.

We will not sell your personal data on to third parties.

## Contractors

Our contractors are required to comply with the law and our own data processing agreement to ensure data is managed appropriately and for specified purposes, including to complete responsive or planned property repairs.

## 6. International transfers

Each member of the Torus Group is based in the United Kingdom (UK) and data is predominantly held on servers within the UK and we do not usually transfer or store your personal data outside the UK.

In the event that we, or some of our External Third Parties, transfer, or store personal data on servers outside of the UK we take additional steps to ensure that your information is protected to at least an equivalent level, as required by applicable data protection laws.

Whenever we transfer your personal data out of the UK, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- we will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data.
- where we use certain service providers, we may use specific contracts approved for use in the UK which give personal data the same protection it has in the UK.
- we ensure your personal data is protected by requiring all our group companies to follow the same rules when processing your personal data. These rules are called "binding corporate rules".

Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the UK.

## 7. 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.

## **8. Data retention**

How long will you use my personal data for?

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

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, regulatory, tax, accounting or other requirements.

In some circumstances you can ask us to delete your data: see your legal rights below for further information.

In some circumstances we will 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.

Our Customer Service Centre phone calls are recorded for training and monitoring purposes and our recordings are held for a period of three months.

We operate a continuous CCTV system at all our office premises for the detection and prevention of crime and recordings are held for 30 days. CCTV / sound recordings and / or use photography may be used to capture evidence of breach of tenancy, alleged anti-social behaviour or crime.

Torus Foundation will store your information for a period of 3 years as standard. However, if you are involved in an incident or safeguarding concern, we will retain your information for a period of 7 years as per NSCCP guidance.

If you would like to find out more information in relation to our retention and disposal policy, please see our retention policy.

## **9. Property Information**

These paragraphs relate to HMS and Torus in respect of our work in relation to properties.

Much of the data we use relates to our properties and their maintenance and repair. We do not consider property information used in conjunction with the property address to be your personal information.

We are usually happy to provide you with answers to questions you may have about the property you are living in, and work done to it.

As soon as your Identity or Contact Data is used in conjunction with property information, such as to complete a property repair visit, then this is treated as personal information.

Repair services can be accessed via digital platforms (online) to allow convenient access such as

'My Account' – the company's secure online self- service portal for Torus tenants.

If you use the 'My Account' service, it is important that you keep your account & password secure and do not share your 'My Account' details with any other person.

## **10. Your legal rights**

Under certain circumstances, you have rights under data protection laws in relation to your personal data. Please click on the links below to find out more about these rights:

- Request access to your personal data.
- Request correction of your personal data.
- Request erasure of your personal data.
- Object to processing of your personal data.
- Request restriction of processing your personal data.
- Request transfer of your personal data; and
- Right to 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 could 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 could take us longer than a month if your request is particularly complex or you have made several requests. In this case, we will notify you and keep you updated.

## **11. Complaints**

If you wish to make a complaint about how your personal data is being processed by Torus Group or any of our third parties, please contact Torus's Group Data Protection by emailing [dpo@torus.co.uk](mailto:dpo@torus.co.uk). You also have the right to complain to the ICO about how we have processed your personal data. The ICO can be contacted at Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, by telephone on 0303 123 1113 or through the website [www.ico.org.uk](http://www.ico.org.uk).

## 12. Glossary

### LAWFUL BASIS

**Legitimate Interest** means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

**Performance of Contract** means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

**Comply with a legal obligation** means processing your personal data where it is necessary for compliance with a legal obligation that we are subject to.

### THIRD PARTIES

#### Internal Third Parties

Other companies in the Torus Group acting as joint controllers or processors and who are based in the United Kingdom and looking for appropriate suppliers, consultants, and contractors or otherwise.

#### External Third Parties

- Service providers, suppliers, business partners and sub-contractors acting as processors based in the United Kingdom and the European Union who provide IT and system administration services.
- Professional advisers acting as processors including lawyers, agents, mortgage brokers, financial advisers, court agents, surveyors, valuers, 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 based in the United Kingdom who require reporting of processing activities in certain circumstances.
- Website designers and marketing agents acting as processors based in the United Kingdom who provide their services which may require access to personal data.
- Analytics and search engine providers that assist us in the improvement and optimisation of our website.
- language translation service providers if it is necessary to translate any information into or from a foreign language for you.
- contractors who are carrying out services on our behalf; and
- IT and software providers who supply us with our IT infrastructure for the provision of our services and administering our business (including our internal and external communications) and who also help us manage our customer and contact databases, customer relationships and marketing.

### YOUR LEGAL RIGHTS

You have the right to:

**Request access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

**Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

**Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

**Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

**Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:

- If you want us to establish the data's accuracy.
- Where our use of the data is unlawful, but you do not want us to erase it.
- Where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims.
- You have objected to our use of your data, but we need to verify whether we have overriding legitimate grounds to use it.

**Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

**Withdraw consent** at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.