

## Privacy Notice – UHI Tenancy Agreement for UHI residences

**The Data Controller of the information being collected is:** The University of the Highlands and Islands (UHI), Executive Office, 12B Ness Walk, Inverness IV3 5SQ. Phone: 01463 279000, (UHI being the landlord for the Tenancy Agreement).

**The Data Controller of the information being collected is:** if you are a student of a UHI Academic Partner College, then your academic partner college will be the data controller when it processes data about your tenancy (including all nine purposes in this notice) as your college of study. A list of all UHI partner colleges is [available here](#).

UHI does not use a managing agent for this at this time but may, at any point, appoint one to administer tenancies and the building on its behalf.

For any queries or concerns about how your personal data is being processed you can contact the relevant Data Protection Officer at [dataprotectionofficer@uhi.ac.uk](mailto:dataprotectionofficer@uhi.ac.uk)

### **This privacy statement relates to the following processing:**

Administration of your tenancy in UHI residences.

The personal data used for these purposes are:

The data you, and your guarantor, provided when you applied for residences, the data you, and your guarantor, provided when you entered into the Tenancy agreement and any data you provide UHI or its academic partner colleges for the purposes of the tenancy agreement and associated matters (including purposes 1-9 in this notice).

### **Your information will be used for the following purposes:**

<b>Purpose 1: Administration of tenancy agreement</b>	To verify your status as a student (or applicant). To administer the tenancy agreement and conditions of your tenancy.
<b>Purpose 2: Payments</b>	To request, collect, and manage your account for the purposes of collecting deposits and/or advance rental payment and rent, and to provide you with an account summary.
<b>Purpose 3: Tenancy conduct management process</b>	To monitor and enforce the clauses of your tenancy agreement, including the code of conduct and conduct requirements.
<b>Purpose 4: Course attendance management</b>	To verify your attendance at UHI before and throughout your tenancy. This is to ensure that you are using the accommodation as a student of UHI or its academic partner colleges.
<b>Purpose 5: Debt recovery</b>	To issue overdue damage notices, rent notices, pursue rent arrears and where necessary provide your details (including guarantor's details) to a debt management agency. Your guarantor's details will also be used for the purposes of debt and/or damage recovery as per the tenancy agreement.
<b>Purpose 6: Crime prevention</b>	Your data may be processed for the purposes of crime prevention or detection as instructed, or directed, by relevant law enforcement authorities (including the Police) – where such processing is required

	<p>for the law enforcement authorities' crime prevention and detection purposes.</p> <p>This may also include providing details to the Police or other relevant authorities where UHI has reason to believe that the information would be of assistance to those agencies in the course of their crime prevention and detection work. This may include raising concerns with those agencies.</p>
<b>Purpose 7: Ensuring the health and safety of residents, guests, and others</b>	To provide your data where necessary to comply with statutory health and safety law, including public health protection legislation, and all relevant statutory reporting requirements.
<b>Purpose 8: Protection of welfare and safeguarding of tenants or others</b>	UHI has an obligation to monitor and safeguard the wellbeing of its students and residents. Should there be concerns about your wellbeing your data may be processed UHI or UHI's academic partners for the purposes of UHI taking steps to meet its safeguarding, welfare protection, corporate parenting, and duty of care obligations. If you are a student, employee or representative of another organisation UHI, or its academic partners, may share personal data pertinent to the welfare or safeguarding concern with your organisation. In most cases, this will take the form of a referral to UHI or your organisation followed by contact from UHI's, or your organisation's, student service staff.
<b>Purpose 9: Equality monitoring and reasonable adjustments etc.</b>	UHI may collect and use your data, including health data, to fulfil its legal obligations under the Equality Act 2010, including reporting, and in order to provide you with necessary reasonable adjustments to its services or facilities.

**Our legal reason for using the data is/are:**

**To achieve the following purposes:** Purpose 1: Administration of tenancy agreement, Purpose 2: Payments, Purpose 4: Course attendance management, Purpose 5: Debt recovery

**Our legal reason to use the data is:** Use is necessary for the performance of a contract with you or to take steps, at your request, before entering into such a contract. That contract being your UHI Tenancy Agreement

**To achieve the following purposes:** Purpose 3: Tenancy Conduct Management,

**Our legal reason to use the data is:** Use is necessary for the performance of a contract with you or to take steps, at your request, before entering into such a contract. Those contracts being your UHI Tenancy Agreement and your UHI student contract.

**To achieve the following purposes:** Purpose 7: Ensuring the health and safety of residents, guests and others, Purpose 8: Protection of welfare and safeguarding of tenants or others Purpose 9: Equality monitoring and reasonable adjustments etc.

**Our legal reason to use the data is:** The processing is necessary for UHI to meet its legal obligations under: Health and safety laws and regulations. Legal obligations as a corporate parent, its duty of care and under safeguarding legislation.

**To achieve the following purposes:** Purpose 6: Crime prevention,

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**Our legal reason to use the data is:** Legal obligation, that being UHI's general duty of care to all residents of the accommodation. In some circumstances data may be shared with the Police or other relevant agencies under the 'crime and taxation' exemption in the Data Protection Act 2018.

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**The data being used for includes special category (sensitive) data. We use this sensitive data under the following legal condition(s):**

**To achieve the following purposes:** Purpose 9: Equality monitoring and reasonable adjustments etc.

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For the purposes of 'Purpose 9: Equality monitoring and reasonable adjustments etc', UHI may collect sensitive data about you including, for example, health data – where UHI may need to make adjustments or additional plans to provide you with services.

**Our legal reason to use the data is:**

- Use is necessary for carrying out obligations under social protection law, that being the Equality Act 2010, or where processing is otherwise required by equality legislation in the public interest (substantial public interest, processing required by an enactment).
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**It's not always possible to know when it may be necessary to process your special category data. For example, processing may be necessary in an emergency. These cases will be reviewed on a case by case basis and the following section is a set of examples. In some cases, it may be necessary to use special category data or criminal offence (and related measures) data (only where collected for specific purposes) for other purposes. This use of data will be considered on a case-by-case basis, but may include, for example:**

**To achieve the following purposes:** Purpose 7: Ensuring the health and safety of residents, guests and others, Purpose 8: Protection of welfare and safeguarding of tenants or others Purpose 6: Crime prevention

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In some cases UHI may need to use special category data to meet its legal obligations, or for other matters of substantial public interest. In these cases, UHI may need to process or share your special category data.

**Our legal reason to use the data may be, but will be decided on a case by case basis:**

- Use is necessary for carrying out obligations under social protection, social security or employment law. Use is necessary for processing is otherwise required by legislation in the public interest (substantial public interest, processing required by an enactment).
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**If you were to withhold the personal information we require for this process, the consequences would be:**

UHI may not be able to provide you with services under the tenancy agreement.
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**Your data will, or may, be shared with the following recipients or categories of recipient:**

**UHI and Academic partners**

UHI and relevant academic partner colleges. Within UHI/academic partner college(s) the data will be shared with, at least: accommodation teams, Finance Teams and, where relevant, student support teams.

**Managing agent(s)**

If UHI or any of the academic partner colleges appoint a managing agent, then your data will be shared with that agent.

**Debt collection agencies**

Your data may be shared with UHI's nominated Debt Collection Agency if required for the purposes of payment collection.

**Police Scotland or other relevant agencies**

Your data may be shared with Police Scotland, other relevant agencies should UHI consider the sharing appropriate for any of the purposes laid out in this privacy notice.

**Your organisation if you are not residing in the accommodation as a student or employee of UHI**

If you are a part of an organisation that is not UHI or a UHI partner college then your data will, or may, be shared with your organisation as it is described as being shared with UHI in the cells above.

**Your data will be retained for the following length of time:**

<b>Purpose 1: Administration of tenancy agreement</b>	Up to six years from the end of the financial year in which your tenancy agreement expires (unless there are outstanding monies to be paid at the end of that agreement – see purpose 5 retention period).
<b>Purpose 2: Payments</b>	Up to six years from the end of the financial year in which your tenancy agreement expires (unless there are outstanding monies to be paid at the end of that agreement – see purpose 5 retention period).
<b>Purpose 3: Tenancy conduct management process</b>	Up to six years from the end of the financial year in which your tenancy agreement expires (unless there are outstanding monies to be paid at the end of that agreement – see purpose 5 retention period).
<b>Purpose 4: Course attendance management</b>	Up to six years from the end of the financial year in which your tenancy agreement expires (unless there are outstanding monies to be paid at the end of that agreement – see purpose 5 retention period).
<b>Purpose 5: Debt recovery</b>	Resolution of the outstanding debt recovery activity, plus the relevant financial reporting period (auditing and accounting purposes).
<b>Purpose 6: Crime prevention</b>	Data may be processed or disclosed under this purpose for many different reasons. The data will be retained until the expiry of the relevant usefulness/reporting/evidence period. See <a href="#">UHI's Retention and Disposal schedule for more information.</a>
<b>Purpose 7: Ensuring the health and safety of residents, guests, and others</b>	Data may be processed or disclosed under this purpose for many different reasons. The data will be retained until the expiry of the relevant usefulness/reporting/evidence period. See <a href="#">UHI's Retention and Disposal schedule for more information.</a>

<b>Purpose 8: Protection of welfare and safeguarding of tenants or others</b>	Data may be processed or disclosed under this purpose for many different reasons. The data will be retained until the expiry of the relevant usefulness/reporting/evidence period. See <a href="#">UHI's Retention and Disposal schedule for more information.</a>
<b>Purpose 9: Equality monitoring and reasonable adjustments etc.</b>	Data may be processed or disclosed under this purpose for many different reasons. The data will be retained until the expiry of the relevant usefulness/reporting/evidence period. See <a href="#">UHI's Retention and Disposal schedule for more information.</a>

**The following rights are rights of data subjects:**

- The right to access your personal data
- The right to rectification if the personal data we hold about you is incorrect
- The right to restrict processing of your personal data

The following rights apply only in certain circumstances:

- The right to withdraw consent at any time if consent is our lawful basis for processing your data
- The right to object to our processing of your personal data
- The right to request erasure (deletion) of your personal data
- The right to data portability

You also have the right to lodge a complaint with the Information Commissioner's Office about our handling of your data.