

Privacy Notice – Property Management

Introduction

Highland and Islands Airports Limited (HIAL) is a public corporation wholly owned by the Scottish Ministers. The company operates and manages 11 Airports at Barra, Benbecula, Campbeltown, Dundee, Islay, Inverness, Kirkwall, Stornoway, Sumburgh, Tiree and Wick. HIAL's airports are vital to the social and economic welfare of the areas they serve, but are loss making, and are supported by subsidies from the Scottish Government in accordance with Section 34 of the Civil Aviation Act 1982.

HIAL uses personal information for a range of purposes and our privacy notices provide information about why we obtain and collect personal information, and how we process it.

This privacy notice explains how HIAL uses information for managing its property portfolio, and tenancy and Concession agreements. It is important to note that the privacy information below relates to information that is considered personal data under data protection laws. It will not necessarily apply to corporate or company data, unless you are entering into a tenancy agreement with HIAL in an individual capacity, for example as a sole trader.

What Information is Collected?

HIAL has a portfolio of properties and collects information for the purposes of managing those properties. The personal information that will be collected may include:

- Name and contact details
- Aircraft and car registration details where relevant
- Information relating to applications for tenancies and associated due diligence checks such as company accounts
- Evaluations of applications for tenancies
- Payment information for those that become tenants

How will my information be used?

Your information will be used to for a number of purposes, all of which contribute to managing the property portfolio. Further details about each of the purposes is provided below.

Marketing

HIAL (or a company on our behalf) will send out information about vacant properties by e-mail or using the Public Contracts Scotland web portal. These e-mails that are sent out by HIAL will fall within the definition of marketing and will therefore be subject to the Privacy and Electronic Communication Regulations (PECR) as well as data protection laws. This means that we must have your consent to send these e-mails.

If you have subscribed to our marketing list to be kept informed about vacant properties, your information will be used to send you regular e-mails. You can withdraw your consent for receiving marketing information at any time. Please note that while you will be removed from marketing lists with immediate effect, you may continue to receive communications from HIAL where your contact information is being used for purposes other than marketing.

Please note - if you don't give your consent, we will be unable to send you marketing information about vacant properties.

In some circumstances, you may be classed as a "corporate subscriber". This is where you are a contact on behalf of an organisation (which must be a legal entity separate from any individuals), and means that we do not need consent to send you marketing e-mails. We send e-mails to corporate subscribers using the lawful basis of legitimate interests as it is in HIAL's interests to ensure properties are marketed as widely as possible. As a corporate subscriber, you have the right to object to direct marketing, outlined under Additional Rights.

Applying to Occupy a Premises

It is important that HIAL enters into tenancies and Concession contracts in a fair and transparent way, and achieves best value for money. These are usually subject to a competitive process and we will require information from you to complete that process, as detailed above. There is also a privacy notice specifically relating to contracts and procurement, which can be found at <http://www.hial.co.uk/wp-content/uploads/2018/05/privacy-notice-procurement-contracts.pdf>.

Where HIAL is entering into a contract with you in an individual capacity, this information will be processed with a view to entering into a contract. Where personal information is processed as part of a submission from a corporate entity, it is processed under the lawful basis of legitimate interests as it is in the interests of both HIAL and the company wishing to enter into the contract to do so.

Managing Tenancies and Concession contracts

HIAL will process any personal information relating to the contract for the performance of the contract where the contract is with you in an individual capacity. Any personal information that relates to a contract with a corporate body will be processed using the lawful basis of legitimate interests.

Will my information be passed to anyone else?

Your information will be processed by those at HIAL who are responsible for managing the property portfolio.

Payment information will be processed by HIAL's Finance Team. HIAL uses data processors to provide some IT systems, which includes systems for issuing and managing invoices. HIAL may also share your information with our legal representatives as well as the local authority for rating purposes.

Data processing agreements are place with all organisations that process personal information on HIAL's behalf, which require processing to be carried out within the EEA, or for appropriate safeguards to be in place where it is carried out by an international organisation. As far as we are able to establish, information relating to managing property is not transferred internationally.

HIAL has a contracted service for the provision of a Data Protection Officer and your information may be processed in the course of providing that service, for example for the purposes of auditing data protection compliance.

Other than described above, HIAL will never pass personal information to any other third party, unless there is a statutory requirement to do so or the processing is otherwise lawful.

What happens when my information is no longer required?

Information relating to managing the property portfolio is retained in accordance with HIAL retention schedules after which it will be securely destroyed. The length of time your information is held will depend upon the purposes of processing.

Marketing

Those that subscribe to marketing will be asked to renew their consent periodically. If you don't renew or confirm your subscription within a stated time period, or you withdraw your consent, you will be removed from HIAL's marketing list with immediate effect.

Applying to Occupy a Premises

Once the competitive process is concluded, personal information relating to unsuccessful applicants will be retained under the lawful basis of legitimate interests for a period of 3 months from the date the decision on a tenancy or Concession contract was made. This is to allow HIAL to approach other applicants in the process should the successful applicant not enter into an agreement with HIAL for any reason.

Tenancies and Concession contracts

Contract information is retained for a period of 5 years from the date of the end of contract.

Additional Rights

Under the GDPR, you have a number of rights in relation to your personal information. Please note these rights relate to personal information only and not to any corporate information. You have the right to:

- i. request access to your personal information;
- ii. request rectification of your personal information which means you are able to have inaccurate personal information corrected without undue delay;
- ii. request erasure of your personal information when certain conditions apply;
- iii. restrict processing under certain circumstances;
- iv. object to processing;
- v. data portability in some circumstances.

Requests that relate to rectification, erasure or restricting processing will be passed to any recipients of your personal information. Details of recipients can be found under the section [Will My Information be Passed to Anyone Else?](#)

There may be occasions when HIAL is unable to comply with requests to exercise the rights above. Should this apply to a request you make, it will be explained to you why HIAL is unable to comply with the request and any options available to you.

Where your personal information is being processed using consent, one further right is the right to withdraw your consent at any time. You can find out how your personal information is being lawfully processed under the section [How Will My Information Be Used?](#)

Complaints

Should you be unhappy with the way in which HIAL have processed your personal data, you have the right to lodge a complaint with the Information Commissioner, who regulates data protection legislation across the UK. Their contact details can be found at <https://ico.org.uk/>.

Contact Details

HIAL is the Data Controller (or Controller) for personal information processed as described in this notice. Website: www.hial.co.uk.

If you have any queries relating to property, please contact the Buildings and Property Manager in the first instance. Information about properties available to rent or lease is available from them and will include relevant contact information.

If you have any queries regarding the information in this privacy notice, please contact the Data Protection Officer, Liz Taylor – ltaylor@hial.co.uk.