Ogilvie Fleet Privacy Policy

1 Who we are

We are Ogilvie Fleet Limited ("**we**"), a company registered in Scotland (company number SC067027) whose registered office is at Ogilvie House, 200 Glasgow Road, Stirling FK7 8ES.

We are a **data controller** for the purposes of the General Data Protection Regulation (Regulation (EU) 2016/679) and related data protection legislation.

2 How to contact us

If you have any questions about this privacy notice or our data protection policies generally, please contact us:

By post: Ogilvie House, 200 Glasgow Road, Stirling FK7 8ES

By email: FleetGDPR@ogilvie.co.uk

By phone: 01786 816055

3 Privacy notice

We are committed to protecting your personal data and your privacy. This privacy notice sets out how we look after your personal data when you visit our website (regardless of where you visit it from), when you register or log in to the driver area of our website or contact us by telephone, e-mail or other means and provides information on your privacy rights and how the law protects you.

Before we process your personal data, we are obliged to inform you of who we are, why we need to process your personal data, what we will do with your personal data and to whom we will pass your personal data.

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.

This version of our website privacy notice was last updated on 22 July 2018.

4 Application

This privacy notice applies where:

4.1 you are an **individual** (acting solely or jointly with another person for your own account or as a sole trader or as an attorney, trustee, partner in a partnership or member of an unincorporated club or association):

4.1.1 who is applying for or entering into a financing arrangement directly with us;

4.1.2 who has a financing arrangement from one of our customers and we have provided funding to this customer to enable them to make that financing arrangement to you;

4.1.3 who has a financing arrangement from one of our customers and we have bought your financing arrangement from the company who made the facility available to you; or

4.1.4 who is giving a guarantee or other security either solely or jointly with another person;

4.2 you are a **relevant individual** (such as an owner, director, officer, partner or authorised signatory) of a company or other incorporated entity to which any of 4.1.1 - 4.1.4 applies.

5 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:

- **Identity Data** includes your name, username or similar identifier such as an employee number issued by your employer, marital status, title, date of birth and gender. We may obtain such Identity Data in relation to additional named drivers. We may also receive or ask you to provide your [National Insurance number and driving licence number, or dash-cam footage and vehicle location] if we provide related services to you.
- **Contact Data** includes billing address, delivery address, email address and telephone numbers. We may also ask for details about your employer such as which office you work at or which division, and the office address. We may also need this information in relation to additional named drivers as applicable.
- **Financial Data** includes bank account and payment card details.
- **Transaction Data** includes details about payments to and from you and other details of products and services we provide you or products and services we receive from you or your organisation.
- **Technical Data** includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access this website.
- **Profile Data** includes your username and password, quotes requested or orders made by you, preferences, feedback and survey responses.
- **Usage Data** includes information about how you use our website, products and services.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and your communication preferences.
- **Special Category Data** includes information concerning criminal convictions and your health.
- **Business Contact Data** which includes all such data.

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

We also process personal data relating to our **Business Contacts** such as owners, directors, partners and employees of a corporate entity, where you or your business supply goods or services to us, provide profession services to us, have expressed an interest in us or our business or have any other business relationship with us. We may receive personal data about you as a business contact (in particular name, business or work contact details, details about who the individual works for, the individual's role in any such organisation and the individual's credentials) when you correspond with us or provide us with your business card etc.

6 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 financing or other services). In this case, we may have to cancel the relevant services you have with us but we will notify you if this is the case at the time.

7 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, Contact, and Financial and Special Category 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 or request our products and services;
    - create an account on our website or visit it from your employer's intranet;
    - subscribe to our service or publications;
    - request marketing to be sent to you;
    - [enter a competition, promotion or survey; or]
    - give us some feedback.

- **Your Employer.** Your employer provides us with certain Identity Data about you so that we can pre-register you on our website and ensure that you have access to products and services appropriate for you. This is limited to such Identity Data that we need to ensure that you have access to the right products and services when you access the driver area of our website.

- **Automated technologies or interactions.** As you interact with our website, we may automatically collect Technical Data about your computer, equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies. We may also receive Technical Data about you if you visit other websites employing our cookies. Please see our cookie policy for further details.

- **Third parties or publicly available sources.** We may receive personal data about you from various third parties and public sources as set out below:
    - Technical Data from the following parties:

    (a) analytics providers such as Google based outside the EU;

    (b) advertising networks such as Facebook based outside the EU; and

    (c) search information providers such as Google based outside the EU.

    - Contact, Financial and Transaction Data from providers of technical, payment and delivery services such as:
        - our vehicle dealerships and agents when they deliver your new vehicle or collect your old one;
        - verification of your driving licence from the DVLA and our processing agents;
        - our approved network of repairers and garages;
        - confirmation of vehicle insurance from an insurance broker or provider

    - Identity and Contact Data from publicly availably sources such as the Electoral Register based inside the EU.

8 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 or regulatory obligation.
- Where you have provided express consent.

More information about the types of lawful basis that we will rely on to process your personal data is set out below.

9 Purposes for which we will use your personal data

Below is a description of the main 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.

Purpose/Activity	**Type of data**	**Lawful basis for processing including basis of legitimate interest**
To advise you that your employer vehicle scheme is live and to provide instructions to you on how to access our driver portals	(a) Identity (b) Contact (c) Marketing and Communications	Necessary for our legitimate interests (so that you can order your new vehicle, access the driver area of our website and obtain services)
To register you as a new customer	(a) Identity	(a) Performance of a contract with you (where

	(b) Contact (c) Financial	relevant) (b) Necessary for our legitimate interests (to prevent fraud and money laundering and to perform a contract with a corporate customer) (c) Necessary to comply with a legal obligation (for the requirement that all vehicles are insured)
To arrange a demonstrator vehicle	(a) Identity (b) Contact	Necessary for our legitimate interests (to arrange a vehicle to be delivered to you based upon your instructions) Necessary to comply with a legal obligation (to arrange insurance)
To obtain a vehicle and/or insurance quote	(a) Identity (b) Contact	Necessary for our legitimate interests (to arrange a unique quote based on your requirements) Necessary to comply with a legal obligation
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 [(f) Special category data]	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to recover debts due to us) (c) Necessary to comply with a legal obligation [(d) Express consent where Special Category Data is involved]
To arrange vehicle services including: (a) MOT and service (b) Tyres (c)_Other maintenance and repairs (d) Breakdown recovery (e) Collection	(a) Identity (b) Contact (c) Financial (if applicable) (d) Transaction (e) Profile	(a) Necessary for our legitimate interests (to undertake and complete services)
To administer fines and driving offences including: (a) Speeding fines (b) Parking related fines	(a) Identity (b) Contact (c) Financial (if applicable) (d) Transaction	Necessary for our legitimate interests (to transfer liability to the driver) Necessary to comply with a legal obligation (for example in the event of a serious accident)
To administer insurance related	(a) Identity	Necessary for our legitimate interests (to

services and credit checking (if applicable)	(b) Contact (c) Financial (if applicable) (d) Transaction	ensure the vehicle is insured) Necessary to comply with a legal obligation (to ensure the vehicle is insured and in complying with consumer contracts)
To arrange a hire or temporary vehicle	(a) Identity (b) Contact (c) Financial (if applicable) (d) Transaction (e) Profile	Necessary for our legitimate interests (to provide you with a temporary vehicle) Necessary to comply with a legal obligation
To administer vehicle incident claims	(a) Identity (b) Contact (c) Financial (if applicable) (d) Transaction (e) Profile (f) Special Category Data	Necessary for our legitimate interests (to provide accident management services, insurance related claims and recovery as applicable) Consent, where Special Category Data is collected. Necessary to comply with a legal obligation
To provide other services to you such as [vehicle tracking technologies, dashboard cameras] and Driving Licence Checks	(a) Identity (b) Contact (c) Finance (if applicable) (d) Transaction (e) Profile (f) Special Category Data	Necessary for our legitimate interests (to provide accident management services, insurance related claims and recovery as applicable) Necessary to comply with a legal obligation
To manage our relationship with you which will include: (a) Notifying you about changes to our terms or privacy policy (b) Asking you to leave a review or take a survey	(a) Identity (b) Contact (c) Profile (d) Marketing and Communications	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to respond to customer queries, keep our records updated for training and evidentiary purposes and to study how customers use our products/services)

To comply with legal obligations binding on us	(a) Identity (b) Contact (c) Financial (d) Transaction (e) Special category data	(a) Necessary to comply with a legal obligation (b) Necessary to protect the vital interests of a natural person (c) Necessary for our legitimate interests (in establishing or defending our legal rights or in order to prepare management or statutory accounts)
To manage and provide any prize draw or competition where you have agreed to participate To enable you to complete a survey	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to study how customers use our products/services, to develop them and grow our business)
To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(a) Identity (b) Contact (c) Technical	(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
To use data analytics to improve our website, products/services, marketing, customer relationships and experiences	(a) Technical (b) Usage	Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)
To make suggestions and recommendations to you about goods or services that may be of interest to you To conduct marketing	(a) Identity (b) Contact (c) Technical (d) Usage (e) Profile (f) Marketing and Communications	Business to Consumer (a) When sent by post, necessary for our legitimate interests (to develop our products/services and grow our business). (b) When sent by other means (including electronic communication) express consent. Business to Business Necessary for our legitimate interests (to pursue direct marketing)
Business contacts: To manage our business relationships with suppliers and sub-contractors, professional	(a) Identity (b) Contact	(a) Performance of a contract with you (where relevant) (b) Necessary for our legitimate interests (to

advisors, regulatory authorities, public authorities and others, which will include: (a) assessing the suitability of any existing or potential supplier of goods and services to us, including undertaking appropriate background checks (b) negotiating and entering into appropriate contracts for the supply of goods or services to us, carrying out any obligations under such contracts (including obligations of payment) and if necessary enforcing any such contracts (c) undertaking on-going monitoring and management of our relationship with suppliers and other professional and business contacts (d) interacting with other professional and business contacts in the course of providing services to our customers (e) investigating any complaints or enquiries	(c) Business Contact	perform a contract with your organisation or business, to manage third party relationships, to run our business efficiently and profitably, to enhance, modify and improve our services and products, and to pursue our commercial objectives where this does not override your rights and freedoms as a data subject)

10 **Marketing**

Where you have provided consent for us to do so, we or our third party services providers will process your personal data in order to send you information about products and services which may be of interest to you. You can ask us to stop sending you marketing messages at any time by contacting us using the details set out above or, where the marketing message is in an email, by clicking "unsubscribe" on any such marketing message.

11 **Disclosures of your personal data**

We may have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 8 above.

- Internal third parties such as any member of our group, which means our subsidiaries, our ultimate holding company and its subsidiaries, as defined in section 1159 of the UK Companies Act 2006;
- External third parties such as fraud prevention agencies, credit reference agencies, third party service providers (including banks, card payment processors, software service providers and debt collection agents), our funders, our or your legal advisers, our accountants and auditors, [companies which undertake market research on our behalf] and if applicable your business or organisation;
- Specific third parties (as data processors) such as [name] 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 notice.

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.

12 Data transfers

We, fraud prevention agencies and credit reference agencies may transfer your personal data outside of the European Economic Area (EEA). We may transfer your personal data outside of the EEA to a non-EEA country that is deemed to have an adequate level of protection from time to time by the European Commission. Whenever we or they transfer your personal data outside of the EEA to a country without an adequacy decision, we or they will impose contractual obligations on the recipients of that data. Those obligations require the recipient to protect your personal data to the standard required in the EEA. We or they may also require the recipient to subscribe to 'international frameworks' intended to enable secure data sharing.

13 Data security

[Our 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 notice of every website you visit.

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.

Please remember that communications over the Internet, such as emails and messages sent through a website (webmail), are not secure unless they have been encrypted. Your communications may go through a number of countries before they are delivered and we cannot accept responsibility for any loss of personal information that is beyond our control.

14 Data retention

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

By law we have to keep basic information about our customers (including Contact, Identity, Financial and Transaction Data) and we will usually retain your personal data for 6 years following the expiry of all contracts relating to you.

We may use Aggregate Data indefinitely without further notice to you.

15 Children

Our website is not intended for children and we do not knowingly collect data relating to children.

16 Your legal rights

Your personal data is protected by legal rights, which include your rights:

- **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. 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: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) 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; or (d) 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 your personal data which you initially provided to us, which is processed based on your consent or based on the performance of a contract between us and which is processed by us using automated means.

- **Withdraw consent at any time where we are relying on consent to process your personal data.** Where we rely on your consent you have the right to withdraw consent at any time, although 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 financing or services to you. We will advise you if this is the case at the time you withdraw your consent.

If you want to exercise any of these rights, please contact us using the details above.

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 are 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.

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

You also have the right to complain to the Information Commissioner's Office, which regulates the processing of personal data, about how we are processing your personal data.

17 Leadoo

We use Leadoo’s tracking service to follow what users are doing on the site and combine this behavioural data with other data we can gather from e.g. chat interactions. Leadoo uses ETag tracking in order to hook together the same user’s behaviour over several sessions. Please check out Leadoo Marketing Technologies Ltd’s Privacy Policy (https://leadoo.com/privacy-policy/) for more information on what is tracked and what your rights are. Leadoo works as the Processor and we work as the Controller for the data in terms of GDPR. You can stop the tracking by emptying your browser’s cache after the visit. For more on how Leadoo works as a GDPR compliant processor, see https://leadoo.com/privacy-policy-processor/