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## Privacy Policy

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### Background:

Hartwell plc and its subsidiaries Hartwell Automotive Group Limited and Hartwell Finance Limited understand that your privacy is important to you and that you care about how your personal data is used and shared including online.

We respect and value the privacy of everyone who visits our dealerships as customers and prospective customers. We will only collect and use personal data in ways that are described here, and in a manner that is consistent with Our obligations and your rights under the law.

Please read this Privacy Policy carefully and ensure that you understand it. Your acceptance of Our Privacy Policy is deemed to occur when you first interact with us as a customer and are asked for personal details to input into our dealer management system. If you do not accept and agree with this Privacy Policy, unfortunately we will not be able to log your details onto our dealer management system.

### 1. Definitions and Interpretation

In this Policy, the following terms shall have the following meanings:

**“Personal Data”** means any and all data that relates to an identifiable person who can be directly or indirectly identified from that data. In this case, it means personal data that you give to Us via Our Site. This definition shall, where applicable, incorporate the definitions provided in the EU Regulation 2016/679 – the General Data Protection Regulation (“GDPR”)

**“We/Us/Our”** means **Hartwell plc**, a limited company registered in England under company number 155302 and its subsidiaries: **Hartwell Automotive Group Limited**, a limited company registered in England under company number 158447, and **Hartwell Finance Limited**, a limited company registered in England under company number 00067842,. The registered address of all of the aforementioned companies is Wootton Business Park, Besselsleigh Road, Wootton, Oxfordshire, England, OX13 6FD.

### 2. Information About US

- 2.1. Our motor dealerships are owned and operated by Us. When you contract with Us, you will be provided with details of the specific entity with which you have entered into a contract.
- 2.2. Our VAT number is 194365535.
- 2.3. Our Data Protection Officer is Georgina Forbes, and can be contacted by email at [DPO@hartwell.co.uk](mailto:DPO@hartwell.co.uk), or by post at Wootton Business Park, Besselsleigh Road, Wootton, Oxfordshire, England, OX13 6FD.
- 2.4. We are directly authorised and regulated by the Financial Conduct Authority. The direct authorisation is held by Hartwell Finance Limited under firm reference number 307535 and Hartwell Automotive Group Limited is the appointed representative of Hartwell Finance Limited under firm reference number 406710.

### **3. What Does This Policy Cover?**

This Privacy Policy applies only to your relationship with our dealerships as a customer or prospective customer.

### **4. Your Rights**

4.1. As a data subject, you have the following rights under the GDPR, which this Policy and Our use of personal data have been designed to uphold:

- 4.1.1. The right to be informed about Our collection and use of personal data;
- 4.1.2. The right of access to the personal data We hold about you (see section 12);
- 4.1.3. The right to rectification if any personal data We hold about you is inaccurate or incomplete (please contact Us using the details in section 14);
- 4.1.4. The right to be forgotten – i.e. the right to ask Us to delete any personal data We hold about you (We only hold your personal data for a limited time, as explained in section 6 but if you would like Us to delete it sooner, please contact Us using the details in section 14);
- 4.1.5. The right to restrict (i.e. prevent) the processing of your personal data;
- 4.1.6. The right to data portability (obtaining a copy of your personal data to re-use with another service or organisation);
- 4.1.7. The right to object to Us using your personal data for particular purposes; and
- 4.1.8. Rights with respect to automated decision making and profiling.

4.2. If you have any cause for complaint about Our use of your personal data, please contact Us using the details provided in section 14 and We will do Our best to solve the problem for you. If We are unable to help, you also have the right to lodge a complaint with the UK's supervisory authority, the Information Commissioner's Office.

4.3. For further information about your rights, please contact the Information Commissioner's Office or your local Citizens Advice Bureau

### **5. What Data Do We Collect And How Do We Use This Data**

Depending upon your use of our dealerships, We may collect some or all of the following personal data:

#### **5.1. Dealership Vehicle Enquiry**

If you visit one of dealerships to enquire about a Vehicle we will collect your name and may collect your email, telephone number and address and your data will be entered into our dealer management system. We will use this to deal with your enquiry. Your details will not be used for marketing purposes unless you have expressly consented to this.

#### **5.2. Test Drive or Courtesy Car**

If you test drive a car at one of our dealerships or receive a courtesy car when your car is with us for a service we will collect a copy of your driving licence and will keep a copy for 6 months in case of any motoring or parking offences that may occur.

#### **5.3. Use our dealership for service, MOT or warranty work**

If you bring your vehicle to one of our dealerships for service, MOT or warranty work we will collect your name, address, email, telephone number, vehicle make, model and mileage and your payment details in order to fulfil our contractual obligations to

you in relation to the work you have asked us to undertake. We will retain all of these details on our dealer management system in order to fulfil our contractual obligations to you save for your payment details which we will destroy as soon as your payment has been processed. Your details will not be used for marketing purposes unless you have expressly consented to this. We do consider it will be in your legitimate interest for us to contact you to tell you when your vehicle's next service or MOT is due unless you have expressly told us that you do not wish us to do this.

#### **5.4. Vehicle Purchase**

If you purchase a vehicle from one of our dealerships, we will have a contractual obligation at the point of sale to collect your name, address, email, telephone number, date of birth, driving licence, payment details, occupation, details of the vehicle you are purchasing and if applicable details of any part-exchange vehicle. Your details will not be used for marketing purposes unless you have expressly consented to this. However, even if you have told us that you do not consent to us passing your details to the vehicle manufacturer for marketing purposes if you have purchased a new vehicle from us we will be contractually obliged to pass your details to the manufacturer so that they may register your vehicle for warranty and recall purposes only.

#### **5.5. Vehicle Finance**

If you tell us that you are interested in obtaining vehicle finance, either in one of our dealerships or via the Finance Enquiry on Our Site, in addition to your name, address, email, telephone number and occupation we will also collect the length of time at your present address, your previous address if you have been at your current address for less than 3 years, your date of birth, whether you have a full UK driving licence, relevant income and expenditure and whether you consent to a credit search. As part of our contractual obligation to you to provide details of available vehicle funding, we will pass this information to the following credit reference agencies: Experian, Equifax and Call Credit in order to receive a report as to your credit worthiness. We may pass your details to other finance intermediaries and finance companies who may conduct multi-agency credit searches with the aforementioned agencies. This will ascertain your credit worthiness for the purposes of obtaining vehicle funding for you. If you do not take vehicle funding, we will destroy this information after 6 months.

#### **5.6. Credit Reference Agency Information**

As stated in 5.9 to process your application, We will perform credit and identity checks on you with one or more credit reference agencies ("CRAs").

To do this, We will supply your personal information to CRAs and they will give Us information about you. This will include information from your credit application and about your financial situation and financial history. CRAs will supply to Us both public (including the electoral register) and shared credit, financial situation and financial history information and fraud prevention information.

We will use this information to:

- Assess your creditworthiness and whether you can afford to take the product;
- Verify the accuracy of the data you have provided to Us;
- Prevent criminal activity, fraud and money laundering;

- Manage your account(s);
- Trace and recover debts; and
- Ensure any offers provided to you are appropriate to your circumstances.

We will continue to exchange information about you with CRAs while you have a relationship with Us. We will also inform the CRAs about your settled accounts. If you borrow and do not repay in full and on time, CRAs will record the outstanding debt. This information may be supplied to other organisations by CRAs.

When CRAs receive a search from Us they will place a search footprint on your credit file that may be seen by other lenders.

If you are making a joint application, or tell us that you have a spouse or financial associate, we will link your records together, so you should make sure you discuss this with them, and share with them this information, before lodging the application. CRAs will also link your records together and these links will remain on your and their files until such time as you or partner successfully files for a disassociation with the CRAs to break that link.

The identities of the CRAs, their role also as fraud prevention agencies, the data they hold, the ways in which they use and share personal information, data retention periods and your data protection rights with the CRAs are explained in more detail at any of these three links which all take you to the same CRAIN document: Callcredit [www.callcredit.co.uk/crain](http://www.callcredit.co.uk/crain); Equifax [www.equifax.co.uk/crain](http://www.equifax.co.uk/crain) and Experian [www.experian.co.uk/crain](http://www.experian.co.uk/crain).

#### **5.7. Visiting a Dealership**

We operate CCTV at our dealerships and therefore your vehicle make and registration number may be captured if you visit. We will store this for 30 days.

#### **5.8. Telephoning a Dealership**

Calls to dealerships are initially answered by our contact centre. Calls to the contact centre are recorded for quality and training purpose only and stored for 30 days.

### **6. How Do We Use Your Data?**

6.1. All personal data is processed and stored securely, for no longer than is necessary in light of the reason(s) for which it was first collected as described in clause 5. We will comply with Our obligations and safeguard your rights under the GDPR at all times. For more details on security see section 7, below.

6.2. Our use of your personal data will always have a lawful basis, as described at clause 5, either because it is necessary for Our performance of a contract with you, because you have consented to Our use of your personal data (e.g. by subscribing to emails), or because it is in Our legitimate interests. Examples of Our legitimate interests are as follows:

#### **6.2.1. Database Accuracy**

We will retain data in order to keep our dealer management system database accurate. For example, if you have told us you do not wish to receive marketing offers we will keep a record of this to ensure that you do not receive them.

### 6.2.2. Administration

On occasion you may ask us to contact you and this may cause us to process your data, for example to obtain a telephone number on which to telephone you.

- 6.3. If We may also use your personal data to contact you when it is in your vital interest that we do so. For example to warn you of a recall on your vehicle where it may cause harm to you if you do not receive the recall notice.
- 6.4. We will use your personal data if compelled to do so by a legal obligation owed to us to another body, for example, if asked to provide information by the Police under their powers of investigation.
- 6.5. With your permission and/or where permitted by law, We may also use your data for marketing purposes which may include contacting you by email, telephone, text message, post with information, news and offers on Our products and services. We will not, however, send you any unsolicited marketing or spam and will take all reasonable steps to ensure that We fully protect your rights and comply with Our obligations under the GDPR and the Privacy and Electronic Communications (EC Directive) Regulations 2003.
- 6.6. You have the right to withdraw your consent to Us using your personal data at any time, and to request that We delete it.
- 6.7. We do not keep your personal data for any longer than is necessary in light of the reason(s) for which it was first collected. Data will therefore be retained for the following periods (or its retention will be determined on the following bases):
  - 6.7.1. Where We have provided you with goods and services we will keep a record of your data for at least 6 years to comply with our legal obligations but if we believe it is in your best interests we will retain the data for longer, for example, we would store details relating to services to your vehicle indefinitely as they may be of use to you in the future if you still own the vehicle.
  - 6.7.2. Where we hold your data but this does not result from any Contractual relationship between us we will hold it for 12 months (or shorter period as detailed in clause 5) unless we think it is in your best interest for us to retain your data, for example, you have opted in to receipt of sales and marketing offers.

## 7. How and Where Do We Store Your Data?

- 7.1. We only keep your personal data for as long as We need to in order to use it as described above in section 6, and/or for as long as We have your permission to keep it.
- 7.2. Your data will only be stored in the UK.
- 7.3. Data security is very important to Us, and to protect your data We have taken suitable measures to safeguard and secure data we collect from you.

## 8. Do We Share Your Data?

- 8.1. We may sometimes contract with third parties to supply products and services to you on Our behalf. These may include Bodyshop work estimating, payment processing, delivery of goods and services such as warranties and guaranteed asset protection insurance, the manufactures of any brand new vehicle you purchase from us so that they may register it for warranty and recall, search engine facilities, advertising, and marketing. In some cases, the third parties may require access to

some or all of your data. Where any of your data is required for such a purpose, We will take all reasonable steps to ensure that your data will be handled safely, securely, and in accordance with your rights, Our obligations, and the obligations of the third party under the law.

- 8.2. In certain circumstances, We may be legally required to share certain data held by Us, which may include your personal data, for example, where We are involved in legal proceedings, where We are complying with legal requirements, a court order, or a governmental authority.
- 8.3. Hartwell Ford Dealers will issue you with a Ford “Fair Collection Notice” if you are purchasing a brand new Ford from vehicle sales and/or having service work completed if your vehicle is less than 3 years old as part of their own processing. At the 3-year point, you have the option to transfer to the Hartwell Warranty if you wish.
- 8.4. Motability customers will be issued with Motability’s privacy notice, which can be found here: <https://www.motability.co.uk/utilities/privacy-notice/>. If you are purchasing a GWM ORA from vehicle sales and/or having service work completed on a GWM ORA vehicle you will be issued with IM Group’s privacy notice, which can be found here: <https://www.imgroup.co.uk/privacy-notice/>
- 8.5. However, if you are purchasing a non-Ford vehicle then you will be issued with a Hartwell Privacy Notice as part of our processing.
- 8.6. It should be noted, any conflict between Ford & Hartwell Notices – the Ford Notice would always take precedence.
- 8.7. More information on Ford’s Privacy Policy can be found at: <https://www.ford.co.uk/useful-information/privacy-policy>.

## **9. What Happens If Our Business Changes Hand?**

- 9.1. We may, from time to time, expand or reduce Our business and this may involve the sale and/or the transfer of control of all or part of Our business. Any personal data that you have provided will, where it is relevant to any part of Our business that is being transferred, be transferred along with that part and the new owner or newly controlling party will, under the terms of this Privacy Policy, be permitted to use that data only for the same purposes for which it was originally collected by Us.
- 9.2. In the event that any of your data is to be transferred in such a manner, you will not be contacted in advance and informed of the changes.

## **10. How Can You Control Your Data?**

- 10.1. In addition to your rights under the GDPR, set out in section 4, when you submit personal data to Us, you may be given options to restrict Our use of your data. In particular, We aim to give you strong controls on Our use of your data for direct marketing purposes (including the ability to opt-out of receiving emails from Us which you may do by unsubscribing using the links provided in Our emails and at the point of providing your details and by managing your preferences via the email link that will be supplied to you each time your preferences are changed.
- 10.2. You may also wish to sign up to one or more of the preference services operating in the UK: The Telephone Preference Service (“The TPS”), the Corporate Telephone Preference Service (“The CTPS”), and the Mailing Preference Service (“The MPS”). These may help to prevent you receiving unsolicited marketing. Please note, however, that these services will not prevent you from receiving marketing communications that you have consented to receiving.

## **11. Your Right to Withhold Information**

11.1. You may also visit our dealerships without providing any data at all but we would not be able to supply good and services or quotations unless we are able to collect certain data.

## **12. How Can You Access Your Data?**

You have the right to ask for a copy of any of your personal data held by Us (where such data is held). Under the GDPR, no fee is payable and We will provide any and all information in response to your request free of charge. Please contact Us for more details at [DPO@hartwell.co.uk](mailto:DPO@hartwell.co.uk), or using the contact details below in section 13.

## **13. Contacting Us**

If you have any questions about Our Site or this Privacy Policy, please contact Us by email at [DPO@hartwell.co.uk](mailto:DPO@hartwell.co.uk), by telephone on 01865 861300, or by post at Wootton Business Park, Besselsleigh Road, Wootton, Oxfordshire, England, OX13 6FD. Please ensure that your query is clear, particularly if it is a request for information about the data We hold about you (as under section 12, above).

## **14. Changes to Our Privacy Policy**

We may change this Privacy Policy from time to time (for example, if the law changes). Any changes will be e-mailed to you using the e-mail address you have provided to Us.