

## **USE OF YOUR INFORMATION**

We are MotoNovo Finance, a division of FirstRand Bank Limited (London Branch), part of the FirstRand Banking Group, and we can be contacted by telephone on 0333 200 0030 or email [info@motonovofinance.com](mailto:info@motonovofinance.com). Our data protection officer can be contacted by email at [compliance@motonovofinance.com](mailto:compliance@motonovofinance.com).

This notice explains what personal data we collect from you and how it will be used by us and why.

## **WHAT WE WILL DO WHEN YOU APPLY**

Before we provide services, goods or financing to you, we will need to collect certain details from you for the purpose of entering into an agreement with you for services, goods or financing; administering any agreement with you; and in order to undertake checks for the purposes of preventing fraud, money laundering, to verify your identity; to assess your creditworthiness; and if you access our website we collect information about your browsing experience, for the purposes of understanding and improving our website, customer experience and our products and services.

## **WHAT WE SHARE AND PROCESS**

We will collect and process the following personal data about you<sup>1</sup>:

- Information you give us, or provide to your dealer or finance broker when making an application (Submitted Information): The information you give us comprises your name, date of birth, residential address and address history for the last three years, contact details such as email address and telephone numbers, financial information, and employment details, to include your salary, employer name, address and time you have worked there.

If, for any reason, you do not provide this information we will not be able to proceed with credit reference and fraud prevention checks and, subsequently will not be able to fulfil your application and we will not be able to enter into the agreement with you. Further details about these checks are provided below.

- Information we collect about you and your device (Device Information): Each time you use our website we will automatically collect technical information about your computer or other internet connected device including your internet protocol (IP) address browser type, domain names, access times and referring web site addresses. You may be able to disable the collection of some of this data through amending the web settings of your device or browser but doing so may impact the functionality of our website. Full details of our Cookie policy can be found at [www.motonovofinance.com/privacy-policy](http://www.motonovofinance.com/privacy-policy).
- Information we receive about you from third parties (Third Party Information): This information may include your personal and financial information (from your dealer finance broker, your employer, or other person connected with your finance application), information about the vehicle you are purchasing; credit information, such as previous applications, the conduct of accounts in your and your financial associate's name (this is anyone linked to you for credit or finance purposes), any business accounts you have, fraud prevention information and public information such as County Court Judgments, bankruptcies and the Electoral Register.

We may combine Submitted Information with Third Party Information and may use both these categories of information and the combined information for the purposes set out below.

## **HOW WE USE THE INFORMATION WE COLLECT ABOUT YOU**

### **Account processing and administration**

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<sup>1</sup> If you are an individual this will be your personal data. For a corporate entity, this "Use of your Information" notice will only apply to the directors or officers' personal data.

Personal data collected by us will be used by us at application stage and, if your application is successful, during the term of and after termination of the agreement, for the following purposes: providing the services, and related administration and transactions relating to the agreement (when we use your information in this way, we do so on the legal basis that our use of your personal information is necessary for the performance of the agreement that we have with you);

*Agreement Administration:* which will mean verifying identity; customer services; to investigate and respond to a complaint; to register our interest in the goods; complying with legal, regulatory and compliance obligations that apply to us (for example, anti-money laundering and counter-terrorism checks) and detection and prevention of fraud and other crimes; account management; debt recovery; debt sale; call monitoring; disposing of our business or assets;

*General Administration:* which will mean tax administration; auditing; reporting and accounting functions; statistical analysis and market research; credit and other funding decisions; credit, market, regulatory and operational risk management; systems testing; network monitoring;

*Marketing Activities:* which will mean conducting customer service surveys; profiling of your data for marketing purposes (where we use profiling for marketing purposes this would be to contact you about similar products that may be of interest to you); analysis of our customer database to understand our customer's activities and preferences, and to improve our services to you.

*Commercial Activities:* which will mean assigning our rights or obligations to a third party; obtaining funding for our business, to understand and improve our products and services, and to create aggregate or statistical data to use for analytical or research purposes such as for scorecard development purposes (and when we use your data for each of these purposes we do so on the basis that we have a legitimate interest in doing so).

### **When you phone us or we phone you: call recording and customer identification**

We will also use your personal data to check your identity if you get in touch with us.

We may monitor and record calls made to us for monitoring and training purposes and to improve the services we offer.

We use your information in this way in our legitimate interest, in order to prevent fraud and to improve the services we provide to you.

### **Credit checking, verifying your identity and preventing fraud and money laundering**

We will use certain personal data you have provided to us in order to confirm your identity and to prevent fraud and money laundering, and to carry out a credit check on you by searching at credit reference agencies who will supply us with credit information about you. More details about these checks are set out below.

When we use your personal data for these purposes we do so on the basis that we have a legitimate interest in assessing your application, making decisions about whether you can afford to take the product or if the product is appropriate to your circumstances, preventing fraud and money laundering, to trace and recover debts, and to verify identity, in order to protect our business and to comply with laws that apply to us. Such processing is also a contractual requirement of the services or financing you have requested, and we will not be able to process your application without undertaking these checks.

#### *Credit Reference Agencies*

We will supply certain of your personal information to credit reference agencies and they will give us information about you. This will include information from your credit application and about your financial situation and financial history. Credit reference agencies will supply to us both public (including the electoral register) and shared credit, financial situation and financial history information and fraud prevention information.

We may also, where another person is acting as a guarantor, check the record of that person, and, if you are a director or partner in a small business, we may also check on your business. so you should make sure you discuss this with them, and share with them this information, before lodging the application.

If you are financially linked to another person (for example if you have a joint mortgage or loan) your credit reference agency records will be linked until such time as you or your partner successfully files for a disassociation with the credit reference agencies to break that link. If you are financially linked to another person, this application may impact on their credit record (and their record could impact your application) so you should make sure you discuss this with them, and share with them this information, before lodging the application.

Whether or not this application proceeds, the credit reference agency will place a record of our search on your credit file (commonly referred to as a "footprint"). This record (but not our name) will be seen by other organisations when you apply for credit in the future. A large number of applications within a short period of time could affect your ability to obtain credit.

In the event that your application is successful, we will record information about you with the credit reference agencies concerning your agreement with us, including the details of your agreement with us, the payments you make under it, any default or failure to keep its terms and any change of name or address. The information that we provide shall remain on the credit reference agencies' file for six (6) years after your account with us is closed, whether settled by you or upon default. This information may be supplied to other organisations by the credit reference agencies.

#### *Fraud Prevention Agencies*

If you have provided inaccurate information or we suspect fraud, we may share some of the personal data we have collected from you with fraud prevention agencies who will use it to prevent fraud and money laundering, and to verify your identity. If fraud is detected, you could be refused certain services, finance or employment.

We, and fraud prevention agencies, may also enable law enforcement agencies to access and use your personal data to detect, investigate and prevent crime. Fraud prevention agencies can hold your personal data for different periods of time, and if you are considered to pose a fraud or money laundering risk, your data can be held for up to six (6) years.

If we, or a fraud prevention agency, determine that you pose a fraud or money laundering risk, we may refuse to provide the services, goods or financing you have requested, or to employ you, or we may stop providing existing services to you. Records held by fraud prevention agencies may result in others refusing to provide services, financing or employment to you. If you have any questions about this, please contact us on the details above.

#### *Other third parties*

Should your application with MotoNovo Finance be unsuccessful we may pass your application details to another finance company, we will let you know who that is prior to passing your information to that company or credit broker, to help fulfil your lending requirement. That company will obtain their own credit reference and fraud prevention searches.

We provide the motor dealer supplying the vehicle with access to your information up to the point that your finance agreement is executed with us, to facilitate your application for finance.

### **AUTOMATED DECISIONS**

As part of the application process we may use credit scoring or other automated decision making systems to assess your application. This will use data from credit reference agencies in relation to your existing credit agreements combined with our internal demographic rules to give a credit assessment score. The final score is then used to assess your financial circumstances and ability to repay your finance with us; and is necessary to assess your application to enter into the contract.

We may also automatically decide that you pose a fraud or money laundering risk if our processing reveals your behaviour to be consistent with that of known fraudsters or money launderers, or is inconsistent with your previous submissions, or you appear to have deliberately hidden your true identity. Currently, our fraud risk assessment process includes manual decision making, using automated processing as one of the tools assisting in such assessment.

You have rights in relation to automated decision making, including the right to ask us to make a manual assessment of your application: if you want to know more please contact us using the details above.

## **MARKETING**

Where we have a legitimate interest to provide marketing information to you, and where appropriate, if you provide your consent for us to contact you by electronic means; we will process your personal data for the purposes of providing marketing information about our goods and services to you via the media that you choose (if any). You can change your preferences at any time by contacting us at [info@motonovofinance.com](mailto:info@motonovofinance.com) or at [www.motonovofinance.com](http://www.motonovofinance.com).

Before we send you marketing information in relation to other financial products and services during and after the term of your agreement (see below), we may complete ad hoc credit searches against your file; to ensure we only send you appropriate offers that will be of interest to you and would typically be available to you. This will leave a quote record on your credit file (commonly known as a "soft search"), only visible to you and us and does not affect your credit profile.

## **DATA RETENTION AND STORAGE**

All personal data you provide to us, or which we obtain from third parties, will be stored on our secure servers (or those of third parties or contractors we engage to help us run our business). We will keep information no longer than we need to for the purpose for which we collected it. The period of time for which we keep personal data depends on the legal and regulatory requirements, the purpose for which the information was obtained, and our business needs. We will keep information about any account you hold with us for [at least] the duration of your agreement and the period of 6 years from the end of your agreement, in line with our data retention policy that stipulates the timescales in line with our lawful purpose for processing your data. This is available at [www.motonovofinance.com](http://www.motonovofinance.com).

If your application is declined, we shall keep your personal data for 6 months in order to allow us to answer any queries which you may have about your application (Credit reference agencies may keep your data for longer). We do so on the basis that we have a legitimate interest in responding to such queries.

## **WHO WE SHARE YOUR DATA WITH**

In addition to the sharing of data with credit reference agencies and fraud prevention agencies outlined above, we may share your personal data with the following other third parties.

We may transfer your personal data to other companies in our group or to third parties acting on our behalf, including without limitation, Sterling Client Services Ltd, Covea Insurance, Red Sands Insurance (Europe) Ltd (for related insurance policy services), i-Vendi Ltd (IT system supplier); and our service, system, support and outsourcing providers; our collection agents; our motor dealers; retailers and manufacturers of Goods relating to your agreement; regulatory bodies, and law enforcement and fraud prevention agencies, for administrative purposes, processing or for the operation and maintenance of your business with us. A full list of the firms we share your data with will be available at [www.motonovofinance.com](http://www.motonovofinance.com).

We may also transfer our rights under your agreement to third parties (who will be chosen by us based upon carefully selected business criteria, including their treatment of personal data) which may mean that they become your creditor under our agreement with you. If we do this, to enable them to exercise their rights and/or administer the agreement with you we will need to transfer to them your personal data but we will only transfer such data as is necessary for those purposes, and you will be informed of their identity at the time of the transfer. We will ensure that any such third parties

safeguard the security of your data in accordance with the Data Protection Act 1998 (the “Act”) and the EU General Data Protection Regulation and any other applicable legislation relating to the protection of personal data and privacy from time to time that may replace the Act.

We may disclose your details and/or transfer your data to third parties to whom we propose to transfer our rights under this agreement and/or sell the vehicle/equipment, who may use your details for the purposes set out in this statement. We may also disclose the settlement figure, in relation to your agreement, to a supporting dealer of ours who is not the dealer who introduced the agreement to you, but is a dealer whom you have approached in connection with a new finance deal.

We may also share your personal data with any person (and their or our professional advisors for this purpose) with whom we are negotiating any sale, transfer or re-organisation of our business or where we are organising our commercial funding. If this proceeds, the acquiring party or part of it may use your personal details in the same ways and for the same purposes as set out in this policy. We will give you their details once the business change has been completed.

Pursuant to the above, personal data may be transferred to recipients located in countries outside the European Economic Area (including the USA) which do not provide the same standard of data protection laws as the UK. Any party who receives personal data is required by us to have appropriate technical, organisational and security measures in place to keep such personal data confidential and secure. Whenever fraud prevention agencies transfer your personal data outside of the European Economic Area, they impose contractual obligations on the recipients of that data to protect your personal data to the standard required in the European Economic Area. They may also require the recipient to subscribe to ‘international frameworks’ intended to enable secure data sharing.

## YOUR RIGHTS

You have the following rights (subject to certain statutory exemptions):

- to **opt-out** of receiving marketing information, or **withdraw your consent** to receive marketing information if provided on a previous occasion;
- to **be informed** about the processing of your personal data (this is what this statement sets out to do);
- to have your personal data **corrected if it’s inaccurate** and to have **incomplete personal data completed**;
- to **object to processing** of your personal data;
- to **withdraw your consent** to processing your personal data;
- to **restrict processing** of your personal data;
- to have your personal data **erased**;
- to **request access** to your personal data and information about how we process it;
- to specify which **credit reference agencies** we have shared your personal data with;
- from 25 May 2018 only, to **move, copy or transfer** your personal data (“*data portability*”); and
- rights relating to **automated decision making**.

If you are unhappy about how your personal data has been used you can contact us using the details above. You also have a right to complain to the Information Commissioner's Office (<https://ico.org.uk>), which regulates the processing of personal data.

If you:

- would like more information about how we process personal data;
- are unable to access any of the links or further information referred to in this document ; or
- would like to exercise any of your data protection rights,

please contact us using the contact details set out at the top of this notice.

## CREDIT REFERENCE AGENCY INFORMATION NOTICE

The Credit Reference Agencies we use have produced a Credit Reference Agency Information Notice (“**CRAIN**”) which details how they will use your data after we provide them with your Agreement

information. The CRAIN is available at [www.experian.co.uk/crain](http://www.experian.co.uk/crain); [www.equifax.co.uk/crain.html](http://www.equifax.co.uk/crain.html) or [www.callcredit.co.uk/crain](http://www.callcredit.co.uk/crain).

## MARKETING

### Opt out of marketing for our own similar products and services

We may contact you with details of similar products and services we provide which we feel may be of interest to you. If you would prefer **not** to receive this information through any of the communication methods below please opt out by ticking the relevant boxes.

Post  Telephone  Email  Text message

You can change your preferences at any time by contacting us at [info@motonovofinance.com](mailto:info@motonovofinance.com) or at [www.motonovofinance.com](http://www.motonovofinance.com).