



## **PRIVACY NOTICE**

### **GRAHAM (COMMERCIALS ) LIMITED**

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#### **INTRODUCTION**

Graham ( Commercials ) Limited is committed to protecting and respecting your privacy.

Our Privacy Notice explains the data we collect about you when you interact with us. It gives you detailed information about what we do with your data and how we keep it safe.

We hope that this Privacy Notice will give you clear guidance on how we use your data and what your rights are, but if you have any further questions, please do contact us. You will find our contact details at the end of this Privacy Notice which you can use if you have any questions, including how



to update or access your Information or to make a complaint. Please see the section Contact us.

This Privacy Notice may change over time. If there are any significant changes, we will contact you and explain the changes. Please refer to the Privacy Notice on our website as that will be the current version .

<https://www.scania.com/uk/en/graham/legalnotice.html>

We use abbreviations in this Privacy Notice:

Contact Information means your name, business name, address, telephone numbers and email addresses.

Information means Personal Data as defined by the GDPR

Vehicle Identification Information means registration number and chassis number;

Vehicle Generated Information means:

- (i) performance data such as vehicle components, fuel consumption, brake usage, gear shifting, battery usage, engine data and error codes; and
- (ii) geographic position; and
- (iii) in-vehicle entertainment information

Who is Graham Commercials Ltd ?

A data controller (“Controller”) is the company that decides why and how your Information is processed i.e. how it is collected and used.

When you deal with us, the Controller of your data is Graham Commercials Ltd . There may be exceptions to this and if there are, we will bring those to your attention.

Where this Privacy Notice refers to “we”, “our” or “us” below, unless it mentions otherwise, it’s referring to Graham Commercials Ltd as the Controller.



## HOW WE PROCESS YOUR INFORMATION LEGALLY

The law allows us to collect and process your Information in certain circumstances:

### 1. With your CONSENT

In specific situations, we will seek your consent to collect and process your Information. When we seek your consent, we will make clear to you how we would like to use your Information so that you can make an informed decision about whether to allow us to collect and use your Information.

### 2. Where we have a CONTRACTUAL OBLIGATION

We may need your Information to comply with our contractual obligations to you. We may also require your Information where we take steps towards entering into a contract with you.

### 3. Where we have a LEGAL OBLIGATION

If the law requires us to, we may collect and process your Information.

### 4. Where it is in your VITAL INTERESTS

We will use your Information where we consider the processing of your Information will prevent or reduce any potential harm to you. For example, if we need to communicate a product safety announcement to you.

### 5. Where it is in ours, or someone else's, LEGITIMATE INTEREST

In certain circumstances we may collect and use your Information where it is reasonable for us to do so in the interests of our business operations and where we consider that doing so will not materially impact your rights, freedom or interests. This means we may use your Information in a reasonable way (that you might expect) but only where we consider this will not cause you any excessive or unnecessary risk.



## WHY WE COLLECT YOUR INFORMATION AND THE INFORMATION WE COLLECT

### 1. Customer Account

1.1. When you have a sales interaction with us for the first time we will likely create a customer account on our system. A customer account is similar to an address book entry and includes your Contact Information (“Customer Account”).

1.2. We would then ‘attach’ to your Customer Account, details of your interactions with us and your Vehicle Identification Information (where you have purchased a vehicle from us, we have worked on the vehicle (no matter the manufacturer) or you have otherwise provided us with your vehicle details).

1.3. We may add Information to your Customer Account (or create a Customer Account where you do not already have one) in the following circumstances:

- When you purchase a vehicle, parts, service or merchandise from us in one of our depots, over the phone or online, we will record details of your invoices and payments against your Customer Account. We require this information when you interact with us to comply with our legal obligations.
- When you enter into a service agreement, a repair and maintenance agreement or a warranty agreement with us.
- When you part exchange a vehicle.
- When you enter into a contract with us for Monitor, Connect, Driver Training, Driver Coaching or other Optimise Services product package.
- When you request a credit account with us, or any changes are applied to your credit account.



- 1.4. We may use your Customer Account information to:
  - 1.4.1. process any purchases, services or repairs that you request. We require this information when you interact with us to comply with our legal obligations;
  - 1.4.2. send you communications required by law or which are necessary to inform you about our changes to the services we provide you. These service messages will not include any promotional content and do not require prior consent when sent by email or text message;
  - 1.4.3. send you product safety notices which are in your vital interest;
  - 1.4.4. contact you about service requirements of your vehicle, or other operational communications. If we use your information in this way, we will do so on the basis of our legitimate interest in order to keep our business operations running effectively;
  - 1.4.5. contact you in regard to any contract that you may have with us to fulfil our contractual obligations;
  - 1.4.6. where you have requested a credit account, we may use your Information to conduct a credit check. Where you have an existing credit account we may use your Information to periodically review the credit amount we extend to you. We do this on the basis of our legitimate interest to ensure the affordability of extended credit; and/or
  - 1.4.7. retain records to evidence our agreement with you. We may do this on the basis of a legal or contractual obligation, or our legitimate interest where we retain records for the purposes of defending or pursuing any future legal claim.

## 2. Customer Relations Account

- 2.1. When we create a Customer Account, we will also create a Customer Relations Account which will record details of our interactions with you. A Customer Relations Account may include:
  - Your Contact Information.



- Details of your contact with us, including queries, requests, complaints and warranty claims.
- We will record details of your interactions with us (and ours with you) through our contact centres, depots, central services, online or by using one of our apps. For example, we collect notes from our conversations with you, details of any complaints or warranty claims you make and any feedback you have given. We do this on the basis of our contractual obligations to you, our legal obligations and our legitimate interests in using any feedback from you to improve our customer services and inform our product development.

2.2. We may create a Customer Relations Account, or add information to your existing Customer Relations Account in the following circumstances:

- When you ask us to email you information about a product or service.
- When you engage with us on social media we may collect your social media username to help us respond to your comments, queries or feedback.
- When you download or install one of our apps.
- When you enter prize draws or competitions we will use your information to administer the prize draw or competitions which you enter. We may also use this information to market to you if you represent a company.
- When you book any kind of appointment with us or book to attend an event, for example a test drive or a customer track day event.
- When you choose to complete any surveys we may send to you.

2.3. If you represent a limited company or incorporated partnership, we may use your Customer Relations Account Information to inform you about relevant products and services, including special offers, discounts, promotions, events etc. We do this on the basis of our legitimate interest to promote our products and services. You are free to opt out of marketing communications from us at any time. Please see the section “How to stop us direct marketing to you”.



2.4. If you are an individual, a sole trader or an unincorporated partnership, we may use your Customer Relations Account information to inform you about relevant products and services including tailored special offers, discounts, promotions, events, competitions and so on. With your consent, we will use your Customer Relations Account information to keep you informed by email and by other electronic communication methods such as text message. We may also market to you by mail or telephone on the basis of our legitimate interest to promote our products and services. We do not need your consent to market to you in this way but you are free to opt out of marketing communications from us at any time. Please see the section “How to stop us direct marketing to you”.

### 3. Connected Services Information

3.1. We may receive your Vehicle Generated Information from Scania CV AB, our parent company. This information will usually not identify you as an individual. However, in certain circumstances, this Vehicle Generated Information may amount to personal data, for example, if you are an owner driver.

3.2. Vehicle Generated Information can be used to evaluate driving style, identify your servicing needs for the purposes of flexible maintenance, your location in the event of breakdown, and/or allows you to engage with fleet management through the Connected Services portal.

3.3. For more information about Vehicle Generated Information and how that is used, please see Scania CV AB's Privacy Policy on their website.

### 4. Other Information

4.1. We may also collect your information in certain other circumstances:

- When you make a credit or debit card purchase with us we will process your payment card information. We do not hold your long card number. It is used by our payment processing partner only in the moment the payment is processed. We ensure your payment card information is secured to Payment Card Industry Data



Security Standards. We retain for our records your payment method, card type and the last 4 digits of your payment card. We process this Information on the basis of our legitimate interest to prevent fraudulent transactions. This also helps to protect our customers from fraud. If we discover any criminal activity or alleged criminal activity through our use of suspicious transaction monitoring, we will process this Information for the purposes of preventing or detecting unlawful acts.

- If you wish to drive one of our vehicles (courtesy cars, rental vehicles, driver training vehicles etc), we may ask you for a copy of your driver's licence or your DVLA code. This will include details of your full name, address and date of birth, and in the case of a photocard licence, your facial image. We collect this Information under our legitimate interests for the purposes of ensuring you have a valid licence to drive our vehicle, to safeguard our property, staff, instructors and other road users, and for the purpose of insuring the vehicle. We will hold your Information for a limited time only. Your Information will not be shared unless we are notified of an accident or incident whilst you were driving the vehicle, in which case, your Information may be shared with the police, our insurers and legal advisors.
- When you enter our website, our web servers may store details of your browser and operating system, the website from which you visit our website, the pages that you visit on our website, the date of your visit, and, for security reasons, e.g. to identify attacks on our website, the Internet Protocol (IP) address assigned to you by your internet service provider. We collect some of this Information using cookies. Please visit the 'Cookies' section of this Privacy Notice to learn more.
- When you fill in any forms, for example, if an accident happens on any of our premises, we may collect your Information.
- When a third party provides us with your Information, for example, businesses within the Scania Group may provide us with your Information. Where your Information is received by us and you have not received a copy of this Privacy Notice, we will contact you to inform you that we have received your Information, what



Information we have received and how we may use that Information.

- From publicly available sources (such as the Vehicle and Operator Services Agency) when you have given your consent to share Information or where the Information is made public.
- When you use our car parks and premises we may have CCTV systems operated for our security and yours. These systems may record your image and number plate during your visit. We do this on the basis of our legitimate interest to protect our customers, premises, staff and assets from crime. If we discover any criminal activity or alleged criminal activity through our use of CCTV, we will process this Information for the purposes of preventing or detecting unlawful acts.

4.2. We may also use your Information in the following circumstances:

- To develop, test and improve the systems, services and products we provide to you. We'll do this on the basis of our legitimate interest to improve our product offerings to customers.
- To comply with our contractual or legal obligations to share Information with law enforcement.
- To send you survey and feedback requests to help improve our services. These messages will not include any promotional content and do not require prior consent when sent by email or text message. We have a legitimate interest to send these communications to help improve our products and services.

## 5. Supplier Information

5.1. Where we work with Suppliers or other business partners (or prospective suppliers or business partners), Information will be exchanged. This is usually the Contact Information of our



employees and a Supplier's employees to enable communications between us.

5.2. Information shared in this way will be used for the purposes of the administration of any contract or other agreement and for the ongoing supply of goods/services and other communications with our business partners. This is used by us under our contractual obligations and our legitimate interest in order to deliver products and services and engage with business partners.

5.3. Where Information is shared in this way, other Information may be generated and stored by us. For example, voicemails, emails, correspondence and other work-related communications and computer logs may be created, stored or transmitted by us using our computer or communications equipment for the purposes of our legitimate interest in the efficient management of the business and supply contracts.

#### WHO WE SHARE YOUR INFORMATION WITH

1. We understand that your privacy is important and that you trust us to look after your Information. We will never sell your Information.
2. We may share your Information with carefully chosen third parties that we trust to carry out services on our behalf.
3. When Information is shared with a third party, we will apply a policy to help keep your Information safe:
  - We will provide only the Information they need to perform the services for us.
  - They may only use your Information for the exact purposes we specify in our contract with them.
  - We will work closely with them to ensure that your privacy is respected and protected at all times.
  - If we stop using their services, any of your Information held by them will either be deleted by them or rendered anonymous.



4. We will not share your Information without good reason. Below are some of the categories of third parties who we may share your Information with:

i. Group Companies

We may share your Information with other companies within the Scania Group. This may be to offer you services that we cannot, for example, vehicle finance options, or to provide vehicle recovery services such as Scania Assistance.

ii. The Scania Dealer Network

We may share your Information within the Scania Dealer Network. The Scania Dealer Network consists of over 60 Scania Dealerships across the UK. Some of the dealerships belong to (Scania (Great Britain) Limited) and some of the dealerships belong to our franchisees, operating according to Scania Dealer Operating Standards. Together we form the 'Scania Dealer Network'. Each corporate member of the Scania Dealer Network has access to your Information held on the Customer Account and Customer Relations Account. This allows the UK network to operate as efficiently as possible to keep you moving, to assist you in the event of breakdown and to keep you up to date with your servicing requirements. The companies within the Scania Dealer Network (and links to their own privacy policies, where available) are:

Haydock Commercial Vehicles Limited

TruckEast Limited

West Pennine Trucks Limited

Keltruck Limited

Road Trucks Limited

Pip Bayleys Limited

Granco Limited

S.J.Bargh Limited

Scania (GB) limited

iii. Our Suppliers and Service Providers



We may share your Information with our third party service providers, agents, subcontractors and other organisations for the purposes of providing services to us or directly to you on our behalf.

Category	Industry	Sector	Location
Drivers	Services	Automotive	EU
Credit Reference Agencies	Financial Services	Credit Agencies	EU
Marketing Agencies	Media	Advertising	EU
Body Builders	Manufacturing	Automotive	EU
Insurers	Financial Services	Insurance	EU
IT Service Providers	Information Technology	IT Software and Services	EU & USA
Travel Companies (Events)	Consumer Services	Hotels, Airlines, Restaurants and Leisure	EU & USA
Fuel Card Services	Financial Services	Consumer Finance	EU
Survey Providers	Professional Services	Research and Consulting	EU & USA
Market Researchers	Professional Services	Research and Consulting	EU
Driver Trainers	Services	Automotive	EU
Institute of Advanced Motorists	Regulated body	Automotive	EU

iv. Other third parties

We may also share your Information if we're under a duty to disclose or share it in order to comply with our legal obligations, to detect or report a crime, to comply with our tax obligations, to enforce or apply the terms of our contracts or to protect the rights, property or safety of our staff and customers. In these circumstances, your Information may be shared with the Police, HMRC, DVLA, VOSA or other registered bodies.



## HOW LONG WE KEEP YOUR INFORMATION

1. Whenever we collect or process your Information, we'll only keep it for as long as is necessary for the purpose for which it was collected and to defend any potential claims.
2. At the end of that retention period, your Information will either be deleted completely or anonymised. We may use your data in an anonymised way (so you cannot be identified) for statistical analysis and business planning.
3. When we consider how long to hold your Information, we will consider several factors:
  - a. whether any legal provisions require a maximum or minimum retention period;
  - b. whether the business requires the Information and documents for business operations;
  - c. whether we need to retain your Contact Information to allow us to contact you in the event of any product safety issue;
  - d. whether the Information and documents we hold may support any legal claim or defence. Where this is the case, we will usually hold documentation for 7 years after our contract with you terminates. This is because the law allows for 6 years to bring a claim in contract law and we allow an additional 12 months for the claim to be served and reviewed.

## WHERE WE HOLD YOUR INFORMATION

1. Sometimes we may share your Information with third parties and suppliers outside the European Economic Area (EEA), such as the USA. The EEA includes all EU Member countries and Iceland, Liechtenstein and Norway. We may transfer Information that we collect from you to third-party data processors in countries that are outside the EEA. The table describing our Suppliers and Service Providers above will provide more detailed information about when this may occur.
2. If we do this, we have policies in place to ensure your data receives the same protection as if it were being processed inside the EEA. For



example, our contracts with third parties stipulate the standards they must follow at all times.

3. Any transfer of your Information will follow applicable laws and we will treat your Information under the principles of this Privacy Notice.

#### HOW WE KEEP YOUR INFORMATION SAFE

1. We, Graham Commercials Ltd and the Scania Dealer Network all use technical and organisational security measures to protect the Information supplied by you and managed by us against manipulation, loss, destruction, and access by third parties. Our security measures are continually improved in line with technological developments.
2. Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your Information, we cannot guarantee the security of your Information whilst in transit to our website and any transmission is at your own risk.
3. Where we have given (or where you have chosen) a password which enables you to access an account, you are responsible for keeping this password confidential. We ask you not to use the same password as on other accounts and not to share your password with anyone.

#### USE OF 'COOKIES'

1. Our website uses cookies to distinguish you from other users of our website. This helps us to provide you with a good experience when you browse our website and also allows us to improve our site. By browsing the site, you are agreeing to our use of cookies.
2. A cookie is a small file of letters and numbers that we store on your browser or the hard drive of your computer if you agree. Cookies contain information that is transferred to your computer's hard drive. Cookies allow our websites to recognise you when you visit.
3. We use the following cookies:



- Strictly necessary cookies. These are cookies that are required for the operation of our website. They include, for example, cookies that enable you to log into secure areas of our website, use a shopping cart or make use of e-billing services;
  - Analytical/performance cookies. They allow us to recognise and count the number of visitors and to see how visitors move around our website when they are using it. This helps us to improve the way our website works, for example, by ensuring that users are finding what they are looking for easily.
  - Functionality cookies. These are used to recognise you when you return to our website. This enables us to personalise our content for you, greet you by name and remember your preferences (for example, your choice of language or region).
  - Targeting cookies. These cookies record your visit to our website, the pages you have visited and the links you have followed. We will use this information to make our website and the advertising displayed on it more relevant to your interests. We may also share this information with third parties for this purpose.
  - COOKIE\_MESSAGE - Cookie Message - This cookie tells us whether you have accepted our cookie policy.
  - RECENTLY\_VIEWED - Recently Viewed - This cookie is used to simplify the use of the Dealer locator, telling us which Scania Dealers you have previously looked at.
  - S-FID - Adobe Analytics - This cookie is used by Adobe Analytics to help measure the amount of traffic on our website.
4. You can block cookies by activating the setting on your browser that allows you to refuse the setting of all or some cookies. However, if you use your browser settings to block all cookies (including essential cookies) you may not be able to access all or parts of our site. Please note that third parties (including, for example, advertising networks and providers of external services like web traffic analysis services) may also use cookies, over which we have no control. These cookies are likely to be analytical/performance cookies or targeting cookies.

#### LINKS TO OTHER WEBSITES

1. Our website may contain links to other websites run by other organisations which we do not control. This policy does not apply to



those other websites and apps, so we encourage you to read their privacy statements. We are not responsible for the privacy policies and practices of other websites and apps (even if you access them using links that we provide) and we provide links to those websites solely for your information and convenience. We specifically disclaim responsibility for their content, privacy practices and terms of use, and we make no endorsements, representations or promises about their accuracy, content or thoroughness. Your disclosure of Information to third party websites is at your own risk.

2. In addition, if you linked to our website from a third party website, we cannot be responsible for the privacy policies and practices of the owners and operators of that third party website and recommend that you check the policy of that third party website.

## WHAT ARE MY RIGHTS OVER MY INFORMATION?

1. You have several rights afforded to you under data protection laws. You have the right to:
  - request access to the Information we hold about you, free of charge in most cases;
  - ask for the correction of your Information when it is incorrect, out of date or incomplete;
  - be 'forgotten' and that we delete your Information where we no longer need to process it;
  - request that we stop using your Information in a particular way;
  - request that we stop using your Information for direct marketing;
  - withdraw consent that you have previously provided and we must stop using your Information for that purpose;
  - object to any processing that we undertake on the grounds of legitimate interest; and
  - request that we transfer your Information to another 'controller' (e.g. an alternative service provider).
2. You have the right to request a copy of the Information we hold. Where any Information we hold is inaccurate, you can request that it is changed.



To ask for your Information, please contact our office or contracts manager.

3. You may ask that we delete your Information and we must do so where we no longer have a reason for holding your Information. Whenever you have given us your consent to use your Information, you have the right to change your mind at any time and withdraw that consent. We must then delete your Information if we have no other reason for holding your Information.
  
4. You have the right to request that we temporarily stop using your Information in a certain way. This right applies where:
  - you think the Information we hold is inaccurate;
  - you think we are processing your Information illegally;
  - we no longer the require your Information but you may require it for legal reasons; or
  - you have objected to us processing your Information (see below) and you await a response from us.
  
5. Where we are processing your Information on the basis of our legitimate interest, you can ask us to stop for reasons connected to your individual situation. We must then do so unless we believe we have a legitimate overriding reason to continue processing your Information.
  
6. You have the right to stop the use of your Information for direct marketing activity through all channels, or selected channels. We must always comply with your request. See section: How to stop us direct marketing to you.
  
7. If we choose not to action any request from you, we will explain to you the reasons for our refusal.
  
8. We may ask you to provide evidence of your identity before we process any request. This is to ensure your Information security.



## HOW TO STOP US FROM DIRECT MARKETING TO YOU

1. You can stop receiving marketing emails from us at any time by clicking the 'unsubscribe' link at the bottom of our emails or e mailing anyone at Graham Commercials Ltd..
2. We will stop all direct marketing to you if you email your request to [enquiries@grahamcommercials.co.uk](mailto:enquiries@grahamcommercials.co.uk)
3. Please note that you may continue to receive communications for a short period after changing your preferences whilst we process your request.

## CONTACTING THE REGULATOR

We encourage you to get in touch with us directly in the event of any query on complaint at [enquiries@grahamcommercials.co.uk](mailto:enquiries@grahamcommercials.co.uk) or by calling 01228 529149 and asking for the GDPR champion or the Finance Director and we will do all we can to resolve any issue you may have. However, if you feel that your Information has not been handled correctly, or you are unhappy with our response to any requests you have made to us regarding the use of your Information, you have the right to lodge a complaint with the Information Commissioner's Office. You can contact them by calling 0303 123 1113.

## CHANGES TO THIS PRIVACY NOTICE

This Privacy Notice may change. If it does, we will post an updated version on our website. If the changes are material, we may contact you by email to let you know. If you do not agree with the changes, you must notify us immediately at [enquiries@grahamcommercials.co.uk](mailto:enquiries@grahamcommercials.co.uk) and stop using our services. Changes will take effect 7 days after the updated Privacy Notice is uploaded. We recommend that you review this notice from time to time on our website.

## CONTACT US

If you have any questions, suggestions or complaints about the processing of your Information or wish to contact us to amend/update your marketing preferences, please contact us using the details below:

[Enquiries@grahamcommercials.co.uk](mailto:Enquiries@grahamcommercials.co.uk)



Graham (Commercials) Limited  
Kingstown Broadway  
Kingstown Industrial Estate  
Carlisle  
CA3 0HA

Or call 01228 529149 and ask for the GDPR champion or the Finance Director.

End of policy