

APPLICABLE FOR: All Sites / Processes

Owner: HSC

TITLE: PRIVACY NOTICE IS1848

Version	Date Issued	Brief Summary of Change	Owner's Name
1	26/04/20	Creation	Lee Hughes
2	20/03/21	Review and update with reference to GDPR	Lee Hughes
3	31/05/22	Reviewed and published to TMG website	Lee Hughes
4	08/01/2023	Review	LH/ DK/KL
5	24/8/24	Review	E Kennedy
Aim	<p>ERG provide vehicle Rescue, Recovery and Repair services from service centers across the Northern, Central and Southern geographical areas of the country, utilizing in-house and externally Recognized IVR industry training.</p> <p>Every day The Group will receive, use and store personal information about our customers, and colleagues. It is important that this information is handled lawfully and appropriately in line with the requirements of the Data Protection Act 1998 (https://www.legislation.gov.uk/ukpga/1998/29/contents) and the General Data Protection Regulation 2016 (collectively referred to as the 'Data Protection Requirements').</p> <p>We take our data protection duties seriously, because we respect the trust that is being placed in us to use personal information appropriately and responsibly.</p>		
Scope	<p>This Notice, and any other documents referred to in it, sets out the basis on which we will process any personal data we collect or process.</p> <p>The Group is responsible for ensuring compliance with the Data Protection Requirements, any questions about the operation of this policy or any concerns that the policy has not been followed should be referred in the first instance to the Data Protection Officer/ Chief Information Security Officer or reported in line with the organisation's Whistleblowing Policy or Grievance Policy.</p>		
Further Documentation	<ul style="list-style-type: none"> ➤ ISO 27001:2013 Management System (Certificate Number 1UK/01/8703936969) ➤ Cyber Essentials (Registration Number QGCE 1514) ➤ Information Security & Privacy Policy (IS 1801) ➤ ISO 9001:2015 ➤ ISO 14001:2015 ➤ ISO 45001:2018 		
Review and consultation process:	To be reviewed annually through Management Review.		
Classification:	Can be shared with external party by management.		
Distribution methods:	Available on company SharePoint and Proactive Portal.		

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1. What is Personal Data?

Personal data means data (whether stored electronically or paper based) relating to a living individual who can be identified directly or indirectly from that data (or from that data and other information in our possession).

Processing is any activity that involves use of personal data. It includes obtaining, recording or holding the data, organising, amending, retrieving, using, disclosing, erasing or destroying it. Processing also includes transferring personal data to third parties.

Sensitive personal data includes personal data about a person's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic, biometric, physical or mental health condition, sexual orientation or sexual life. It can also include data about criminal offences or convictions. Sensitive personal data can only be processed under strict conditions, including with the consent of the individual.

2. Data Protection Principles

Anyone processing personal data, must ensure that data is:

- a. Processed fairly, lawfully and in a transparent manner.
- b. Collected for specified, explicit and legitimate purposes and any further processing is completed for a compatible purpose.
- c. Adequate, relevant and limited to what is necessary for the intended purposes.
- d. Accurate, and where necessary, kept up to date.
- e. Kept in a form which permits identification for no longer than necessary for the intended purposes.
- f. Processed in line with the individual's rights and in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.
- g. Not transferred to people or organisations situated in countries without adequate protection and without firstly having advised the individual.

3. Fair and Lawful Processing

The Data Protection Requirements are not intended to prevent the processing of personal data, but to ensure that it is done fairly and without adversely affecting the rights of the individual.

In accordance with the Data Protection Requirements, we will only process personal data where it is required for a lawful purpose. The lawful purposes include (amongst others): whether the individual has given their consent, the processing is necessary for performing a contract with the individual, for compliance with a legal obligation, or for the legitimate interest of the business. When sensitive personal data is being processed, additional conditions must be met.

4. Processing for Limited Purposes

In the course of our business, we may collect and process personal data, this may include data we receive directly from a data subject (for example, by completing forms or by corresponding with us by mail, phone, email or otherwise) and data we receive from other sources (including, for example, location data, business partners, sub-contractors in technical, payment and delivery services, credit reference agencies and others).

We will only process personal data permitted by the Data Protection Requirements. We will notify those purposes to the data subject when we first collect the data or as soon as possible thereafter.

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5. Notifying Individuals

If we collect personal data directly from an individual, we will inform them about:

- The purpose or purposes for which we intend to process that personal data, as well as the legal basis for the processing.
- Where we rely upon the legitimate interests of the business to process personal data, the legitimate interests pursued.
- The types of third parties, if any, with which we will share or disclose that personal data.
- The fact that the business intends to transfer personal data to a non-EEA country or international organisation and the appropriate and suitable safeguards in place.
- How individuals can limit our use and disclosure of their personal data.
- Information about the period that their information will be stored or the criteria used to determine that period.
- Their right to request from us as the controller access to and rectification or erasure of personal data or restriction of processing.
- Their right to object to processing and their right to data portability.
- Their right to withdraw their consent at any time (if consent was given) without affecting the lawfulness of the processing before the consent was withdrawn.
- The right to lodge a complaint with the Information Commissioners Office.
- Other sources where personal data regarding the individual originated from and whether it came from publicly accessible sources.
- Whether the provision of the personal data is a statutory or contractual requirement, or a requirement necessary to enter into a contract, as well as whether the individual is obliged to provide the personal data and any consequences of failure to provide the data.
- The existence of automated decision-making, including profiling and meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the individual.

If we receive personal data about an individual from other sources, we will provide them with this information as soon as possible (in addition to telling them about the categories of personal data concerned) but at the latest within 1 month.

We will also inform data subjects whose personal data we process that we are the data controller with regard to that data and what our contact details are and who the Chief Information Security Officer/ Data Protection Office is.

6. Adequate, Relevant and Non-excessive Processing

We will only collect personal data to the extent that it is required for the specific purpose notified to the data subject. We process personal information for certain legitimate business purposes which include, some or all, of the following:

- Where the processing enables us to enhance, modify, personalise or otherwise improve our services/communications for the benefit of the customer.
- To identify and prevent fraud.
- To enhance the security of our networks and information systems.
- To better understand how people, interact with our social media and web sites.
- To provide postal communications which we think will be of benefit and interest to you.

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Whenever we process data for these purposes we will ensure that we always keep your Personal Data rights in the highest regard and take into account all of your data protection right under any and all current UK legislation.

You have the right to object to this processing at any time. Please bear in mind that if you object, this may affect our ability to carry out the tasks above which may be of benefit to you.

7. Accurate Data

We will ensure that personal data we hold is accurate and kept up to date. We will check the accuracy of any personal data at the point of collection and at regular intervals afterwards. We will take all reasonable steps to destroy or amend inaccurate or out-of-date data.

8. Timely Processing

We will not keep personal data longer than is necessary for the purpose or purposes for which it was collected. We will take all reasonable steps to destroy, or erase from our systems, all data which is no longer required.

9. Processing in line with Data Subject's Rights

We will process all personal data in line with data subjects' rights, in particular their right to:

- Confirmation as to whether or not personal data concerning the individual is being processed.
- Request access to any data held about them by a data controller
- Request rectification, erasure or restriction on processing of their personal data.
- Lodge a complaint with a supervisory authority.
- Data portability.
- Object to processing including for direct marketing.
- Not be subject to automated decision making including profiling in certain circumstances.

10. Data Security

We will take appropriate security measures against unlawful or unauthorised processing of personal data, and against the accidental or unlawful destruction, damage, loss, alteration, unauthorised disclosure of or access to personal data transmitted, stored or otherwise processed.

We will put in place procedures and technologies to maintain the security of all personal data from the point of the determination of the means for processing and point of data collection to the point of destruction. Personal data will only be transferred to a data processor if he agrees to comply with those procedures and policies, or if he puts in place adequate measures himself.

We will maintain data security by protecting the confidentiality, integrity and availability of the personal data, defined as follows:

- **Confidentiality** means that only people who are authorised to use the data can access it.
- **Integrity** means that personal data should be accurate and suitable for the purpose for which it is processed.
- **Availability** means that authorised users should be able to access the data if they need it for authorised purposes. Personal data should therefore be stored on the Group's central server instead of individual PCs.

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Security procedures include:

- Entry controls. Any stranger seen in entry-controlled areas should be reported.
- Secure lockable desks and cupboards. Desks and cupboards should be kept locked if they hold confidential information of any kind. (Personal information is always considered confidential.)
- Data minimisation.
- Pseudonymization and encryption of data.
- Methods of disposal. Paper documents should be shredded. Digital storage devices should be physically destroyed when they are no longer required.
- Equipment. Staff must ensure that individual monitors do not show confidential information to passers-by and that they log off from their PC when it is left unattended.
- Transferring Personal Data Outside of the EEA

We may transfer any personal data we hold to a country outside the European Economic Area ('EEA') or to an international organisation, provided that one of the following conditions applies:

- The country to which the personal data are transferred ensures an adequate level of protection for the data subjects' rights and freedoms.
- The data subject has given his consent.
- The transfer is necessary for one of the reasons set out in the Act, including the performance of a contract between us and the data subject, or to protect the vital interests of the data subject.
- The transfer is legally required on important public interest grounds or for the establishment, exercise or defence of legal claims.
- The transfer is authorised by the relevant data protection authority where we have adduced adequate safeguards with respect to the protection of the data subjects' privacy, their fundamental rights and freedoms, and the exercise of their rights.

Subject to the requirements above, personal data we hold may also be processed by staff operating outside the EEA who work for us or for one of our suppliers. Those staff may be engaged in, among other things, the fulfilment of contracts with the data subject, the processing of payment details and the provision of support services.

11. Disclosure/ Sharing and collection of Personal Data

We may share personal data we hold with 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.

We will collect all or some of the following information about you:

- Name
- Address
- Telephone number
- Email address
- Vehicle registration number
- Proof of identification documents

The Group will use this information to notify the owner that their vehicle has been recovered/ collected and to correctly identify the owner when they attend our premises to collect the vehicle

- We will not use any of the data for marketing purposes or pass to a third party.
- Your information will be shared with our sub-contracted recovery operators.

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- We have a legal basis for holding the information to correctly return a vehicle to its owner or their representative.

12. Subject Access Requests

Individuals must make a formal request for information we hold about them. Employees who receive a request should forward it to Human.Resources@egertonsrecovery.com immediately.

When receiving telephone enquiries, we will only disclose personal data we hold on our systems if /the following conditions are met:

- We will check the caller's identity to make sure that information is only given to a person who is entitled to it.
- We will suggest that the caller put their request in writing if we are not sure about the caller's identity and where their identity cannot be checked.

Where a request is made electronically, data will be provided electronically where possible.

Our employees will refer a request to their line manager or the Data Protection Compliance Manager Deborah.Kidger@egertonsrecovery.com for assistance in difficult situations.

13. Cookies

A cookie is a text-only string of information that a website transfers to the cookie file of the browser on your computer's hard disk so that the website can remember who you are. Cookies are used to make websites work and improve the efficiency of a website. Cookies are also used to ensure that we provide effective security when using of our website. Cookies can help a website to arrange content to match your preferred interests more quickly - most major websites use cookies. Cookies alone cannot be used to identify you.

A cookie will typically contain the name of the domain from which the cookie has come; the "lifetime" of the cookie; and a value, usually a randomly generated unique number.

Two types of cookies are used on our website:

Session Cookies: These are temporary cookies that remain in the cookie file of your browser until you close your browser.

Persistent Cookies: These are stored on your computer until they expire or you remove them.

HOW TO REFUSE USE OF COOKIES

You may refuse the use of cookies by changing your internet browser settings to disable the use of cookies. Please note that a refusal to accept the use of cookies may result in the loss of useful functionality of the site; you may experience slower running times and you may not be able to access all website content.

For further information visit

www.aboutcookies.org

or

<http://www.allaboutcookies.org/>

14. Changes to this Policy

We reserve the right to change this document at any time. Where appropriate, we will notify changes by mail or email.