

Data Privacy

Your privacy is important to us. Our privacy notice outlines how we use the data you submit to us.

Privacy Notice - Customers and Prospective Customers

Any information provided will be used and protected in accordance with current data protection legislation and any subsequent legislation as appropriate.

Our ICO registration numbers:

- Listers Group Limited: Z5872022

Use of your personal information

Listers Group respects your privacy and is committed to protecting your personal data. This privacy policy will inform you of how we look after your personal data, tell you about your privacy rights and how the law protects you.

We keep our data privacy notice under regular review and will notify you if there are changes that fundamentally affect the way your personal data is processed by Listers.

Who are we?

Listers Group is made up of three legal entities (shown above) and trade as the businesses listed below. Listers Group ("Listers") is the data controller (address below) and is engaged in the sales, service and repair of motor vehicles.

Data Protection is the responsibility of the Data Management Team. The contact details for which are:

Data Management Team
Listers Group Ltd
Othello House
Banbury Road
Stratford-upon-Avon
CV37 7GY

or digitally via: listers.co.uk/update-our-records or email dmt@listers.co.uk

What personal information do we collect and how?

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).

For the engagement in the sales, service and repair of motor vehicles this personal data includes:

- Names
- Addresses
- Telephone numbers
- Email addresses
- Vehicle details (current and potential)

For more specific engagement, including finance and insurance agreements, it could also include:

- Date of birth
- Financial information
- Employment information
- Details from driving licences
- Details from passports
- For reasons of identification and security we may also need to take a copy of your driving licence and/or passport

At special events organised by us or on our behalf notices will, if relevant, be posted advising that filming and photography is in progress. If you do not wish to participate you may advise the hosts and they will oblige. Staying 'in shot' is considered consent.

Vehicles we offer for test drive or loan may be fitted with a recording or tracking device that may record driving style, location, and speed for the purposes of safety, crime detection, crime prevention, and/or accident management. Such devices are removed, or the data deleted prior to a subsequent sale.

The personal data you provide to us directly, and any response we give, may be done face-to-face, by telephone, email/social media (which may include personalised videos), SMS/text, post, online/live chat.

Personal data may also have been passed to us via a vehicle manufacturer/importer, finance provider, Motability Scheme or other third-party to which you have provided personal data and requested a response.

Some telephone calls are recorded for quality and training purposes.

Data is stored on computer and paper systems.

CCTV is in use at our sites.

Except as set out below, we do not collect any Special Categories of personal data about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health, and genetic and biometric data).

Why do we need this information and under what legal basis do we process it?

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, have entered into with you or are intending to enter into; or
- Where it is necessary for our legitimate interests and your interests and fundamental rights do not override those interests; or
- Where we need to comply with legal and regulatory requirements.
- Generally, we do not rely on consent as a legal basis for processing your personal data although we will utilise the contact preferences we hold for you before sending direct marketing communications or for communications unrelated to your enquiry and where you did not contract with us.
- More particularly, we will process your personal data in the following scenarios; for any of which direct marketing may be undertaken:
 - Service and MOT schedules and other workshop events
 - Warranty
 - Product recalls
 - Surveys
 - Competitions
 - Quizzes
 - Promotions
 - Referrals
 - Vouchers
 - Special events
 - Account reviews
 - End of contract notifications
 - Making appointments
 - Product launches

- Accessories
- Sales ownership or usership schedules and buying patterns
- Relating to vehicle safety or specification standards;
- Processing which does not include marketing:
 - Internal record keeping and verifying the accuracy of the data we hold.
 - Identification and prevention of fraud.
 - Recovery of debts. This may include special category personal data.
 - Enhancement or modification or otherwise improvement of our services.
 - Improvement in the safety and security of our customers, employees and third-parties for whom we have a duty of care.
 - Bringing or defending of legal claims. This may include special category personal data.
 - Responding to enquiries and requests.
 - Specific communications for safety related recalls which may be processed by us on behalf of the manufacturer. In these circumstances we may ignore specific contact preferences if the recall is deemed to be in the vital interests of the vehicle owner/driver.
 - Finance and Insurance: By making an application for credit you give permission to share your personal information with one or more lenders for the purpose of applying for credit on your behalf. The applications may be consecutive and will only take place if suitable terms cannot be achieved from previous applications. In applying you confirm that:
 - The information supplied on the credit proposal is true and correct. You agree that in the event that any false information has been given or an untrue statement made which the finance company relied on, they have the right to terminate the agreement.
 - You authorise the lenders to make a credit search with one or more credit reference agencies, which will be recorded by those agencies.
 - The lender may carry out more than one search.
 - You are aware that credit scoring may have been used in the decision making process.
 - You agree that the lenders can, at any time, disclose details about the application, agreement and the conduct of the account to a licensed credit agency or introducing Dealer/Broker for the purposes of:
 - Fraud
 - Crime prevention

- Tracing customers
- any other legitimate purpose
- You acknowledge that the lenders may refuse to enter into an agreement without stating a reason
- You acknowledge that if you take out a credit or hire product, the lender may also make periodic searches at Credit Rating Agencies (CRAs) to manage your account and will exchange information about you with CRAs on an ongoing basis, including about your settled accounts and any debts not fully repaid on time. Please note, should you choose not to take up the credit or hire agreement when your application is first submitted to the finance company, they will perform an additional credit search for any subsequent applications for finance thereafter. This will be necessary in the event the subsequent application(s) differ to the initial application (i.e. varying product details, finance term, etc.) and/or where the initial application is being re-submitted 90 days (or more) later.

Any ongoing communications beyond an enquiry are based on there being a relationship between you and Listers and that you would expect to be contacted to maintain the services stated.

- You have the right to choose to amend a contact preference at any point. Choosing to object or restrict how we may process the data or failing to provide the information we need may impact on our ability to provide the services detailed. We will action amendments and deletions as quickly as possible but it may take up to 28 days to be reflected in all our systems.
- We consider the ongoing communication necessary to maintain the relationship we have with you and promote our business and services in line with estimated ownership or usership patterns. We consider that the information or notification of events is important to you and failure to act could negatively impact vehicle ownership or usage: These events may include:
 - The manufacturer warranty being invalidated.
 - Vehicle safety being compromised.
 - The vehicle not being legally permitted to be driven.
 - Additional or excess charges being recognised.
 - The vehicle's residual value being reduced.
 - Removal of the vehicle from your possession due to the expiration of the finance agreement.

- You may request alternative contact preferences for any data we send to vehicle manufacturer/importers without impacting the relationship between yourself and Listers.

Further information:

- Recorded telephone calls are held for quality and training purposes.
- CCTV images are held for the purpose of crime prevention, crime detection and/or public safety.
- You may be offered the opportunity to have images of your vehicle handover posted to one of our social media outlets. Any images posted may be shared within the Listers Group but may be removed on request.
- By signing any order form relating to VAT-free vehicle sales you are giving consent to process personal data that may be classed as Special Category of Personal Data in order to fulfil a contract. Should you not wish for Listers to process this category of data, please do not sign the order form.

How long do we keep the data?

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes for which we collected it, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you. Please also see 'Your Legal Rights'.

Personal data collected as part of an enquiry which did not result in a transaction with Listers, and where no contact preferences are recorded or the right to remove, restrict or object to processing has been actioned, is removed 6 months from the date of the last communication from you to Listers, unless you request to defer the enquiry by stating a future contact date. Where contact preferences have been recorded the data will be removed after 24 months of inactivity from the date of the last communication between you to Listers.

Where a transaction exists, but no communication exists, personal data will be removed after 42 months from the date of the last transaction between you to Listers.

CCTV images are held for 30 days.

With whom do we share your data?

We will share your personal data with:

- The vehicle manufacturer/importer, as a data controller, as part of our franchise agreement or if carried out under and Agency agreement, in our position as data processor.
- Finance and insurance providers (where relevant) as a data controller.
- Third-party data processors where we maintain control of the information's use.
- Third-party data processors where data is transferred to them on a project basis and they operate as per our instructions.

No information is passed to any organisations that are not contractually engaged with Listers operations except:

- To agencies for the matter of legal obligation, legal defence or enforcement
- Payment of any fines, duties, tolls, congestion charges or other sums which become payable related to your use of vehicles registered to Listers.

We will disclose your personal data to third parties with whom we choose to sell, transfer or merge part of our business or our assets. If such a change happens to our business you will be advised of the change prior to completion and the new owners may use your personal data in the way set out in this privacy policy. We do not sell data under any other circumstances.

Organisations to which we pass data that are outside of the European Economic Area are required to apply the same level of data protection as required by UK legislation. In addition to this, any data processed in the United States of America is done so using standard contractual clauses.

How do we secure and protect your personal data?

We use appropriate technical and organisational measures to protect all data for which we are responsible against theft, destruction, damage, loss, manipulation or unauthorised access.

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.

We are certified Cyber Essentials Plus - an independently verified scheme operated by National Cyber Security Centre.

Your Legal Rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data. You have the right to:

- 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. You also have the right to object where we are processing your personal data for direct marketing purposes. 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:
 - If you want us to establish the data's accuracy;
 - Where our use of the data is unlawful but you do not want us to erase it;
 - 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;
 - 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 automated information which you initially provided consent for us to use or where we used the information to perform a contract with

you. We are unable to make any guarantees about the third party's system's compatibility with the data we provide.

- Withdraw consent at any time where we are relying on consent to process your personal data. However, 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 products or services to you. We will advise you if this is the case at the time you withdraw your consent.

If you wish to exercise any of the rights set out above, please contact our Data Management Team using the contact details above.

Under most circumstances you will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, for requests which are clearly unfounded, repetitive or excessive, we will charge of £25. We will also charge £25 per each additional hour it takes to provide the data. Before proceeding we will advise of the total charge relevant to your request, which will be based on the shortest amount of time we expect to take collating the data. If we take longer than the expected time the charge will not increase. Alternatively, we could refuse to comply with your request in these circumstances.

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 is 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 could 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.

In responding to your request we will send you a link to the encrypted data which will be available for you to download for 7 days. We will only provide copies of the data we hold at the time of your request. In cases where telephone calls or video calls are requested, the data is provided in mp3 format. Listers does not offer a transcript service.

You have the right to make a complaint to the UK supervisory authority for data protection matters, the Information Commissioner's Office (ICO). The ICO would generally advise, and we would appreciate, the opportunity to examine your

concerns before you approach them so may we ask that you contact us in the first instance. The address to contact them is:

Casework
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

It is important that the personal data we hold about you is accurate and current; including which vehicle or vehicles you current own/maintain. Please keep us informed if your personal data changes during your relationship with us.

Listers Group companies

- Toyota Boston
- Toyota Bristol North
- Toyota Bristol South
- Toyota Cheltenham
- Toyota Coventry
- Toyota Grantham
- Toyota Lincoln
- Toyota Nuneaton
- Toyota Stratford-Upon-Avon

Third-party data controllers and processor

The following list of data controllers and processor to whom we pass personal data have made their own privacy policies and/or notices available. These can be viewed using the links shown below:

Manufacturers/Importers

- [Toyota - Toyota \(GB\) PLC](#)

Finance providers

- [Black Horse Limited](#)
- [Bumper International Limited](#)
- [Close Brothers Group PLC t/a Close Brothers Motor Finance](#)
- [DealTrak](#)

- [Elavon Limited t/a Opayo](#)
- [Evolution Funding Ltd](#)
- [Marsh Finance Limited](#)
- [Redline Finance \(trading name of Toyota Financial Services \(UK\) PLC\)](#)
- [Toyota Financial Services \(UK\) PLC](#)

Third Party Service Providers

These organisations provide services to Listers Group and we may pass personal data to them in order for them to fulfil those services, which may include a contract between Listers and a customer.

- [Assurant](#) RAC warranty
- [Auto Process/Future45](#) Insurance products
- [AX Automotive](#) Accident management service and vehicle/temporary insurance management
- [Car Care Plan](#) Extended warranties
- [David Pearce \(Electrical Contractors\) Ltd](#) Electric vehicle charging service
- [eDynamix Global Ltd](#) Aftersales process and Service Plans
- [EMaC](#) Service Plans
- [Liquid Fleet Services Ltd](#) Processing of penalty charge notices
- [Motability](#) "The Car and Scooter Scheme for disabled people"
- [Reputation.com](#) Customer reviews
- [Smart Survey](#) Customer surveys
- [Survey Monkey](#) Customer surveys

Third Party Service Providers - Data Services

These organisations provide services to Listers Group and may be passed qualified personal data in order to fulfil those services. They may be involved in customer contact on our behalf and/or nominated by the vehicle manufacturer/importer.

- [Direct Affinity Events Ltd](#) Marketing
- [Esme Solutions Ltd](#) Marketing
- [IHS Markit Ltd](#) Marketing
- [ITG Ltd](#) Direct marketing
- [Mailadoc Ltd](#) Marketing / Fulfilment Services
- [Martec Europe](#) Assessment and training services
- [Omnicom Media Group t/a Rapp](#) Marketing
- [Pure Driven Marketing](#) Marketing
- [Rhino Design \(Manchester\) Ltd](#) Marketing / Event Management
- [Sivast Ltd t/a Prontaprint](#) Marketing / Printing / Fulfilment Services

- [Strive Group](#) Marketing