

Specialist Motor Finance Privacy Notice



Our privacy notice explains how and why we use your personal data (also known as personal information) when you enter into a finance agreement with us, use our website or customer portal, or contact us.

This notice sets out how we will protect and respect your privacy as required by the UK General Data Protection Regulation (“GDPR”) and the laws that apply.

About us

This privacy notice is issued on behalf of our “Group”, which is made up of Specialist Motor Finance Limited, Specialist Motor Finance Services Limited and The Funding Corporation Limited. Together, we are the data controller (as defined in the GDPR) for the personal data we process.

We are registered with the Information Commissioner’s Office with registration number [Z1295056](#). You can search our registration details on the Public Register of Data Controllers www.ico.org.uk.

You can contact us at complianceandlegal@smfmotor.com or Specialist Motor Finance Limited, Kingsfield Court, Chester Business Park, Chester, CH4 9RF.

Changes to the privacy notice, and your duty to inform us of changes in your personal data

We may update this privacy notice from time to time, so please re-visit this page regularly for the most current information. It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

What personal data we process

Personal data is information that can identify you. This includes:

- your name, address, place of birth, date of birth, marital status, sex, gender, and information about your health
- driving licence or any other photographic ID
- your home address and any previous home addresses, and your email and phone number
- your country of residence and your right to live in the UK
- financial details, such as your employment status, annual income, number of dependants, residential status, financial circumstances such as payments made to and from you, monthly housing costs, bank account, payment card details and agreement number
- driving records including penalties and insurance
- car registration
- information you give us through emails, and answers you give to surveys about us and our services
- your preferences in receiving marketing from us and our third parties, and your communication preferences.

Special categories of personal data

Under data-protection law, certain ‘special categories’ of personal data get additional protection. This includes details of your ethnic background, religious or philosophical beliefs, sex life, sexual orientation, political opinions and trade-union membership, as well as information about your health and genetic and biometric data.

We will always ask for your consent if we need to process your special-category data to record any issues you want us to know about – such as your health – so that we understand how best to support you.

How we collect your personal data

You provide most of the personal data we process because:

- you have made an application for finance with us
- you have contacted us directly to discuss your account by letter, email, phone or text
- you have accessed our website or customer portal.

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When you apply for finance with us, we may also collect your personal data from:

- a motor dealer, broker or third party if you are applying through them
- credit-reference agencies to confirm your identity and view your credit file data to check if we can offer you finance (this is called a 'soft search' and won't affect your credit score). For more about data we collect from and share with credit-reference agencies, see '[Third parties we may share your personal data with](#)'
- if you progress your application to a full application, we will do a full search (which may affect your credit score)
- fraud-prevention agencies, and KYC (know your customer) and AML (anti-money laundering) service providers to fulfil our legal duties.

We collect information about you and how you use our website and customer portal to help improve their features. This includes:

- details about payments to and from your account
- details about the services from us and our partners that you show interest in
- details about how you use our website and customer portal
- IP address, device type, ID and login data
- location, if you've authorised tracking.

In addition, we may collect information from other third parties, including:

- DVLA
- insurance companies
- debt-collection agencies, debt-management companies and insolvency services.

When you deal with a third party, please make sure you read their privacy notice to understand how they process your data.

If you fail to provide personal data

You don't have to share data about yourself. But if you don't when we specifically ask, you may not be able to use some, or any, of our services. We may have to cancel or end the product or service.

How we use your personal data

Data-protection laws say we need to have a lawful basis to use your personal data. These are:

- performance of a contract
- complying with a legal obligation
- when we or a third party have a legitimate interest. This means using data in a way that you might expect, for a reason that is in your or our (or a third party's) interest, and that doesn't involve overriding your privacy rights
- we have your consent.

We have described below some of the ways we may use your personal data, and on which lawful basis we rely on to do so. We have also listed our legitimate interests where appropriate.

Purpose or activity	Lawful basis for our processing including the basis of our legitimate interest
To process your application and serve you as a customer, including: <ul style="list-style-type: none">• verifying your identity and other information provided• checking your credit history and other details about your financial circumstances so that we can assess affordability, make responsible lending decisions, including where necessary carrying out credit-reference checks• fraud checks and applicant screening• managing your account with us, including taking into account your personal circumstances• sending and receiving messages about your account• processing payments made to and by you	<ul style="list-style-type: none">• performance of a contract so we can provide finance• legitimate interest in reducing fraud and protecting you and us from risk• complying with a legal obligation including anti-money laundering laws and regulations, and rules and regulations imposed by the Financial Conduct Authority• we have your consent

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<ul style="list-style-type: none"> • monitoring your account and repayment record • notifying you about any changes to our terms or privacy notice • responding to queries and complaints • carrying out security and maintenance checks to make sure our website, customer portal and other services run smoothly for you 	
<p>To improve our business, products and services and to create a more personalised service, including:</p> <ul style="list-style-type: none"> • analysing and capturing data to share with third parties where necessary • preparing statistical reports • understanding our current customers to enable us to more accurately access our target market • track, analyse and improve the services we give you and other customers • improve the services we provide to customers and for training and monitoring purposes 	<ul style="list-style-type: none"> • legitimate interest – to study how customers use our products/services, to develop them, protect our customers from unnecessary risks, to grow our business and to inform our marketing strategy
<p>To administer and protect our business and this website, including troubleshooting, data analysis, testing, system maintenance, support, confirming accuracy of upgrades to any existing systems, and reporting and hosting of data</p>	<ul style="list-style-type: none"> • legitimate interest – for running our business, provision of administration and IT services, network security, to prevent fraud, and in the context of a business reorganisation or group-restructuring exercise
<p>To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you</p>	<ul style="list-style-type: none"> • legitimate interest – to study how customers use our products/services, to develop them, to grow our business and to inform our marketing strategy
<p>To use data analytics to improve our website</p>	<ul style="list-style-type: none"> • legitimate interest – to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy
<p>To use data analytics to ensure the delivery of good outcomes for our customers, specifically relating to:</p> <ul style="list-style-type: none"> • products and services • price and value • consumer understanding • consumer support 	<ul style="list-style-type: none"> • legitimate interest – to define types of customers for our products and services, price and value of our product, to develop customer understanding, support and develop a higher standard of consumer protection • complying with a legal obligation including rules and regulations imposed by the Financial Conduct Authority
<p>To make suggestions and recommendations to you about goods or services that may be of interest to you</p>	<ul style="list-style-type: none"> • we have your consent
<p>To comply with laws and regulations, including:</p> <ul style="list-style-type: none"> • your data-processing rights • crime and fraud prevention • regulatory reporting • audit purposes both internal and external 	<ul style="list-style-type: none"> • complying with a legal obligation including GDPR, anti-money laundering laws and regulations, rules and regulations imposed by the Financial Conduct Authority
<p>Assessing lending and insurance risks</p>	<ul style="list-style-type: none"> • legitimate interest • complying with a legal obligation
<p>Tell you about products and services that may be of interest to you based on how you use our products and services and other information we hold about you</p>	<ul style="list-style-type: none"> • we have your consent

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Share limited identifying information about you with social-media companies, other communication platforms, and analytics and search engine providers	<ul style="list-style-type: none">• we have your consent
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Third parties we may share your personal data with

If you apply for finance with us, contact us directly or access our website or customer portal, we may need to share your personal data with the following parties:

- Car dealerships or credit brokers when you have been introduced to us by them.
- Credit-reference agencies (CRAs) – please see below for further information.
- Fraud-prevention agencies (FPAs), such as Cifas.
- The Driver and Vehicle Licensing Agency (DVLA).
- The National Vehicle Crime Intelligence Service (NaVCIS).
- The UK Financial Services Compensation Scheme (FSCS).
- Regulatory and law-enforcement agencies, such as the police, courts.
- Debt-collection agencies.
- Professional advisors.
- Insurance providers.
- Companies and consultants providing services to us, such as marketing agencies, service providers who maintain our systems and our website host, and other third parties who process and store data on our behalf.
- Third parties to whom we may choose to sell (in whole or in part) our business or our assets. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy notice.

We require all third parties to respect the security of your personal data and to treat it in line with the law. We do not allow our third-party service providers to use your personal data for their own purposes. We permit them only to process your personal data for specified purposes and in line with our instructions.

Credit-reference agencies

If you submit your details to get pre-approval for finance, we will supply your personal data to credit-reference agencies (CRAs) to carry out what's called a 'soft credit search'. This gives us a view of your credit report to help us make responsible lending decisions. The CRAs will record our search but other lenders won't be able to see it and it won't affect your credit score.

It is only when you proceed to complete a full application – which is when we generate the contract document – that we will perform a full search of your credit report that is visible to other lenders.

CRAs will give us public information (including from the electoral register), and information about your credit and financial situation; financial history information; and financial crime-prevention information about you.

We will use your credit-file information to:

- assess your creditworthiness and whether you can afford payments for the finance you want
- verify the accuracy of the information you have given us
- prevent criminal activity, fraud and money laundering
- manage your account if you take out finance with us
- trace and recover debts if you take out credit finance with us
- ensure any offers we provide to you are appropriate to your circumstances.

We will continue to share your personal data with the CRAs for as long as you are a customer. We will also inform them:

- when you settle your account
- if you do not repay in full
- if you do not repay on time
- if you fall into arrears and this is not rectified within 28 days of a formal demand being issued, which we may record as a default.

Any such records we share with CRAs will remain on your credit file for six years after your agreement is closed. This information can be seen by other lenders, who may conduct searches if you apply for credit in future.

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To understand more about a CRA, you can read its Credit Reference Agency Information Notice (CRAIN), which will tell you:

- more about its role as a credit-reference agency
- its role as a financial crime-prevention agency
- the data it holds
- how it uses and shares personal data
- data-retention periods
- your data-protection rights.

The CRAs we use are:

- Experian Consumer Help Service, PO Box 9000, Nottingham NG80 7WP, telephone 0344 481 8000 or via the internet at [experian.co.uk](https://www.experian.co.uk)
- Equifax plc, Credit file Advice Centre, PO Box 1140, Bradford BD1 5US or via the internet at [myequifax.co.uk](https://www.myequifax.co.uk).
- TransUnion, One Park Lane, Leeds, West Yorkshire LS3 1EP, telephone 0330 024 7574 or via the internet at [transunion.co.uk](https://www.transunion.co.uk)

You have a right to apply to the CRAs for a copy of your file.

Credit-reference agencies

As a regulated financial services business, we are committed to preventing financial crime, which includes fraud, money laundering, tax evasion and terrorist financing.

When you register or apply to use our services, we will share your personal data with financial crime-prevention agencies. This is because we have a legitimate interest in preventing financial crime and we must verify your identity to protect our business and to comply with laws that apply to us. The agreement you have with us also allows us to share your personal data with financial crime-prevention agencies.

If you give us false or inaccurate information, or if we suspect or identify fraud, money laundering, tax evasion or terrorist financing, we may record this and pass this information to financial crime-prevention agencies and other relevant organisations, including law-enforcement agencies. We and other organisations may access and use this information to prevent fraud, money laundering and other criminal activity.

If we, or a financial crime-prevention agency, decide that you pose a fraud or money-laundering risk, we may refuse to provide the services or finance you have requested.

Financial crime-prevention agencies may hold your information for different periods of time. If you're considered to be a fraud risk or money-laundering risk, they may hold your information for up to six years. This may also result in us and others refusing to provide you with services, financing or employment.

We use Cifas to help prevent fraud, money laundering and to verify your identity. For further information about how Cifas processes your data, please see its [Fair Processing Notice](#).

Automated processing

As part of our processing of your personal data, we may make decisions by automated means. For example, when you apply to us for finance, we may use an automated credit-scoring system to help us decide whether to lend to you. Before we use automated decision-making, we put in place appropriate technical and organisational measures to ensure that factors that result in inaccuracies are corrected, and the risk of errors is minimised.

After we make an automated decision about you, you have the right to contest the decision, receive an explanation of how it was made and request a human review of that decision.

Open Banking

We may use Open Banking to liaise with your financial services providers to easily verify your income and other financial information.

We may do this when you first apply for finance with us to check you can afford the payments. We may also use Open Banking if

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you have finance with us but you experience financial difficulties, so we can easily check your financial position and consider the best ways to support you.

We will only use your Open Banking data with your informed consent. If you provide consent, we will have access to the transaction information from your bank account for the last 12 months.

We will usually receive a one-off snapshot of 12 months of transaction history, which will be held on your file. Some banks have set up their Open Banking so that third parties receive access to data for a longer period. In these instances, please be aware that the Open Banking access will remain in place for the period set by your bank, which is usually for up to 90 days after your consent.

We will not give your Open Banking data to any third parties unless we have a lawful basis to do so. For more about Open Banking, please see <http://www.openbanking.org.uk/customers/what-is-open-banking/>.

How long will you use my personal data for?

We will only retain your personal data for as long as reasonably necessary. If we need to keep your data longer for tax, accounting, reporting, legal or regulatory reasons, we will only use it for that purpose and keep it for a period that is reasonably necessary.

Typical retention periods for the following types of data are shown here:

Record description	Retention period
Customers (who proceed to be active customers): application information, credit bureau and other associated data used for credit-decision processing	6 years from the termination of the agreement or the last transaction/payment on the account
Customers (who proceed to be active customers): pay-out packs and associated documents and details, credit agreements, correspondence, agreement transaction history including arrears management records, systems notes and financial instructions	6 years from the termination of the agreement or the last transaction/payment on the account
Customers (not proceeding): application packs, records and associated documents and details, credit agreements, correspondence, agreement transaction history, system notes	3 years from date of application
Customers (refused): application packs, records and associated documents and details, credit agreements, correspondence, agreement transaction history, system notes	3 years from date of refusal
Call recordings	12 months
Customer complaints, records, letters, responses and customer communications received	6 years

When we have no ongoing legitimate business need to process your personal data, we will usually delete or anonymise it so it does not contain any personal data and cannot be traced back to you. However, if this is not possible, we will securely store your personal data and isolate it from any further processing until deletion is possible.

To ensure fair and transparent processing, we will adopt appropriate procedures for processing personal data. These include using technical and organisational measures that take into account any harm you may suffer from automated decision-making, and correcting inaccuracies identified in personal data we have processed. Our aim is to ensure that we minimise the risk of errors and process your personal data in a fair and secure manner.

Your rights

You are entitled at any time to:

- ask about how and why we process your personal data (which is explained in this privacy notice)
- ask to have your personal data corrected if it's incorrect
- ask us to delete your personal data, though for legal reasons we may not be able to do so

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- ask us not to use your personal data in certain circumstances such as direct marketing, research or where we rely on 'legitimate interest'
- ask us to restrict processing of your personal data, which is normally only temporary, such as while we update any inaccurate data
- ask us for a copy of your personal data or ask us to send it to a third party, in a structured, commonly used, machine-readable format
- contest a decision we have made about you based on automated processing
- ask us for access to your personal data that we hold about you, which is also known as making a subject access request.
 - Please note we may ask for you to verify your identity before we deal with your request.
 - You will not have to pay a fee, unless you make regular or excessive requests.
 - We have one month to respond to you. Sometimes it could take us longer. If so, we will notify you and keep you updated.

You can also withdraw any consent you have given us in the past. If you do so, our processing of your data before you withdrew the consent would still be legal.

You can always contact us, using the details above, if you have concerns about the processing of your personal data. We take concerns seriously and will work with you to try and resolve them. In addition, you are entitled to complain to the UK Information Commissioner <https://ico.org.uk/make-a-complaint/>

International transfers

We operate in the UK. Some of our third-party service providers may process data or be located, outside the UK. If so, we will ensure that appropriate safeguards are in place and that your personal data is processed in line with the GDPR and other applicable data-protection laws.

Marketing

From time to time, we would like to send you details of products and services that may interest you. You do not need to give us your personal data for the purposes of direct marketing. If you don't, you can still receive our services. If you have agreed to give us your personal data for direct marketing, we may:

- use it to send you information about our own products and services and those of our Group companies and other carefully selected third parties which may be of interest to you, and
- pass your details to our Group companies and other carefully selected third parties including anyone who introduced you to us, so that they may send you information about their products and services via e-mail, SMS text message, post and telephone

You can change your marketing preferences and opt out of receiving marketing communications at any time by unsubscribing from the relevant communications.

To do this regarding marketing from our Group companies and third parties, please write to them. Their contact details will be shown in the marketing communication that you receive from them.

Security of your information

We have put in place appropriate security measures to prevent your personal data being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data. Those of our staff who do have access to your personal data will only process it on our instructions. They are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach. We will notify you and any applicable regulator of a breach if we are legally required to do so.

