

Privacy Notice

Version 7 (CJ) 16.05.2018

1. Introduction

This privacy notice provides you with details of how we collect and process your personal data through your use of our websites and mobile apps including any information you may provide when you purchase a product or service, sign up to our newsletter or take part in a prize draw or competition.

The privacy notice is applicable to your use of:

- The publicly accessible websites of: <https://www.scorpionauto.com/> and <https://www.datatool.co.uk/>
- The websites and **iOS and Android mobile applications** which form part of our tracking system product offering:
 - ScorpionTrack Stolen Vehicle Tracking & Recovery Products: <https://scorpiontrack.com>
 - Scorpion Track Fleet, Fleet Management & Tracking Solution: <https://fleet.scorpiontrack.com>
 - Datatool TrakKING Stolen Motorcycle Tracking & Recovery: <https://trakking.net>

By providing us with your data, you warrant to us that you are over 13 years of age.

2. Who is the Data Controller & Data Processor?

The data controller is the person (or business) who determines the purposes for which, and the way in which, personal data is processed. By contrast, a data processor is anyone who processes personal data on behalf of the data controller. This definition relates to our cloud-based tracking services.

Who the data controller is varies depending on the purposes of the processing.

Where we are providing our Products and Services, via the websites that form part of our tracking system product offering, our client is the data controller, and we are the data processor. For our tracking system customers, it's important to understand that from a data protection perspective, Scorpion Automotive does not set the purpose of why personal data is being processed. The legitimate purpose is solely defined by our customers, which makes the customer the data controller.

Where we are acting in our own rights for our own business purposes, for example for the processing of client data, we are data controller. **In the capacity of data controller, Scorpion Automotive Ltd** are responsible for your personal data (referred to as “we”, “us” or “our” in this privacy notice).

3. Our Data Protection Officer

We have appointed a Data Protection Officer (DPO) who provides help and guidance to make sure we apply the best standards to protecting your personal information. Our DPO is: Professor Alan Gillies, Doctor Honoris Causa

Please forward your Data Protection enquiries to: dpo@scorpionauto.com or by post at: Data Protection Officer, Scorpion Automotive, Scorpion House, Chorley North Business Park, Drumhead Road, Chorley, PR6 7DE, UK if you have any questions about how we use your personal information.

If you are not happy with any aspect of how we collect and use your data, you have the right to complain to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues (www.ico.org.uk). We should be grateful if you would contact us first if you do have a complaint so that we can try to resolve it for you.

It is very important that the information we hold about you is accurate and up to date. Customers of our tracking system products can perform such updates using the product's website or mobile application. For other customers, please let us know if at any time your personal information changes by emailing us at dpo@scorpionauto.com.

4. What Data Do We Collect About You?

Personal data means any information capable of identifying an individual. It does not include anonymised data.

We may process the following categories of personal data about you:

- **Communication Data** that includes any communication that you send to us whether that be through the contact form on our website, through email, text, social media messaging, social media posting or any other communication that you send us. We process this data for the purposes of communicating with you, for record keeping and for the establishment, pursuance or defence of legal claims. Our lawful ground for this processing is our legitimate interests which in this case are to reply to communications sent to us, to keep records and to establish, pursue or defend legal claims.
- **Customer Data** that includes data relating to any purchases of goods and/or services such as your name, title, billing address, delivery address email address, phone number, contact details, purchase details and your card details. We process this data to supply the goods and/or services you have purchased and to keep records of such transactions. Our lawful ground for this processing is the performance of a contract between you and us and/or taking steps at your request to enter into such a contract.
- **User Data** that includes data about how you use our website and any online services together with any data that you post for publication on our website or through other online services. We process this data to operate our website and ensure relevant content is provided to you, to ensure the security of our website, to maintain back-ups of our website and/or databases and to enable publication and administration of our website, other online services and business. Our lawful ground for this processing is our legitimate interests which in this case are to enable us to properly administer our website and our business.
- **Technical Data** that includes data about your use of our website and online services such as your IP address, your login data, details about your browser, length of visit to pages on our website, page views and navigation paths, details about the number of times you use our website, time zone settings and other technology on the devices you use to access our website. The source of this data is from our analytics tracking system. We process this data to analyse your use of our website and other online services, to administer and protect our business and website, to deliver relevant website content and advertisements to you and to understand the effectiveness of our advertising. Our lawful ground for this processing is our legitimate interests which in this case are to enable us to properly administer our website and our business and to grow our business and to decide our marketing strategy.
- **Marketing Data** that includes data about your preferences in receiving marketing from us and our third parties and your communication preferences. We process this data to enable you to partake in our promotions such as competitions, prize draws and free give-aways, to deliver relevant website content and advertisements to you and measure or understand the effectiveness of this advertising. Our lawful ground for this processing is our legitimate interests which in this case are to study how customers use our products/services, to develop them, to grow our business and to decide our marketing strategy.

- We may use Customer Data, User Data, Technical Data and Marketing Data to deliver relevant website content and advertisements to you (including Facebook adverts or other display advertisements) and to measure or understand the effectiveness of the advertising we serve you. Our lawful ground for this processing is legitimate interests which is to grow our business. We may also use such data to send other marketing communications to you. Our lawful ground for this processing is either consent or legitimate interests (namely to grow our business).
- **Vehicle Data** that includes data about your vehicle make, model, registration, VIN number and its geographical location history]. We process this data to supply our goods and/or services. Our lawful ground for this processing is the performance of a contract between you and us and/or taking steps at your request to enter into such a contract.

We may also process Aggregated Data from your personal data but this data does not reveal your identity and as such in itself is not personal data. An example of this is where we review your Usage Data to work out the percentage of website users using a specific website page or feature of our web based tracking systems. If we link the Aggregated Data with your personal data so that you can be identified from it, then it is treated as personal data.

People whose data we receive from our customers as an emergency contact

You may have been appointed as an emergency contact by a customer of one of our tracking products. In this instance, only basic identity and contact data has been stored (your first name, last name, email address and telephone number). We may use this personal data to contact you in the case of a vehicle theft, accident or emergency affecting the customer. We will not use your emergency contact(s) details for any other purpose. This is an important part of our tracking product's performance and could aid the recovery of a customer's stolen vehicle and ensure their own personal safety and well-being.

People whose data we receive from our customers as their employee or owner of the vehicle they use

Basic identity and contact data may have been supplied to us by your employer or the owner of the vehicle driven by you on hire, lease or contract purchase. This basic personal data is augmented with vehicle data extracted from our tracking devices that is accessible to Scorpion and our customer. The vehicle data that we (Scorpion) gather from the tracking unit installed on a vehicle is anonymous since in its isolation, it cannot identify a person.

Our customer may be processing this data under one or a number of lawful bases: Consent, Contract, Legal obligation, Vital Interests, Public task, Legitimate interests. Consent or legitimate interests are likely to be the lawful basis most companies will process this data. We use the data to deliver a number of benefits for our customers including: monitoring driver's safety and competence, helping reduce fuel and maintenance bills, helping reduce accidents, helping reduce insurance premiums, efficient route planning, , theft prevention and post theft recovery and deem this to be necessary for our own legitimate interests.

Sensitive Data

We do not collect any Sensitive Data about you. Sensitive data refers to data that 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. We do not collect any information about criminal convictions and offences.

Where we are required to collect personal data by law, or under the terms of the contract between us and you do not provide us with that data when requested, we may not be able to perform the contract (for example, to deliver goods or services to you). If you don't provide us with the requested data, we may have to cancel a product or service you have ordered but if we do, we will notify you at the time.

5. How We Collect Your Personal Data

We may collect data about you by you providing the data directly to us (for example by filling in forms on our site or by sending us emails). We may automatically collect certain data from you as you use our website by using cookies and similar technologies. Please see our cookie policy for more details about this.

We may receive data from third parties such as analytics providers such as Google based outside the EU, advertising networks such as Facebook based outside the EU, such as search information providers such as Google based outside the EU, providers of technical, payment and delivery services, such as data brokers or aggregators.

We may also receive data from publicly available sources such as Companies House and the Electoral Register based inside the EU.

6. Marketing Communications

Our lawful ground of processing your personal data to send you marketing communications is either your consent or our legitimate interests (namely to grow our business).

Under the Privacy and Electronic Communications Regulations, we may send you marketing communications from us if (i) you made a purchase or asked for information from us about our goods or services or (ii) you agreed to receive marketing communications and in each case you have not opted out of receiving such communications since. Under these regulations, if you are a limited company, we may send you marketing emails without your consent. However you can still opt out of receiving marketing emails from us at any time.

Before we share your personal data with any third party for their own marketing purposes we will get your express consent.

You can ask us or third parties to stop sending you marketing messages at any time by following the opt-out links on any marketing message sent to you or OR by emailing us at dpo@scorpionauto.com at any time.

If you opt out of receiving marketing communications this opt-out does not apply to personal data provided as a result of other transactions, such as purchases, warranty registrations etc.

7. Disclosures Of Your Personal Data

We may have to share your personal data with the parties set out below:

- Service providers who provide IT and system administration services.
- Professional advisers including lawyers, bankers, auditors and insurers
- Government bodies that require us to report processing activities.
- Third parties to whom we sell, transfer, or merge parts of our business or our assets.

We require all third parties to whom we transfer your data to respect the security of your personal data and to treat it in accordance with the law. We only allow such third parties to process your personal data for specified purposes and in accordance with our instructions.

8. Disclosures Of Your Personal Data

We may have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 4 above:

- Service providers who provide IT and system administration services.
- Professional advisers including lawyers, bankers, auditors and insurers who provide consultancy, banking, legal, insurance and accounting services.
- HM Revenue & Customs, regulators and other authorities based in the United Kingdom and other relevant jurisdictions who require reporting of processing activities in certain circumstances.
- Third parties to whom we may sell, transfer, or merge parts of our business or our assets. (We have not nor will aim to ever sell your data as a data product offering).

We require all third parties to whom we transfer your data to respect the security of your personal data and to treat it in accordance with the law. We only allow such third parties to process your personal data for specified purposes and in accordance with our instructions.

9. International Transfers

We occasionally transfer data to providers such as Dropbox and Mailchimp that have servers based in the United States and weTransfer that have servers based both in the United States and European Union. Countries outside of the European Economic Area (**EEA**) do not always offer the same levels of protection to your personal data, so European law has prohibited transfers of personal data outside of the EEA unless the transfer meets certain criteria.

Some of our third parties service providers are based outside the European Economic Area (**EEA**) so their processing of your personal data will involve a transfer of data outside the EEA.

Whenever we transfer your personal data out of the EEA, we do our best to ensure a similar degree of security of data by ensuring at least one of the following safeguards is implemented:

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission; or
- Where we use certain service providers, we may use specific contracts or codes of conduct or certification mechanisms approved by the European Commission which give personal data the same protection it has in Europe; or
- Where we use providers based in the United States, we may transfer data to them if they are part of the EU-US Privacy Shield which requires them to provide similar protection to personal data shared between the Europe and the US.

If none of the above safeguards is available, we may request your explicit consent to the specific transfer. You will have the right to withdraw this consent at any time.

10. Data Security

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know such data. They will only process your

personal data on our instructions and they are subject to a duty of confidentiality.

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.

11. Data Retention

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements. By law we have to keep basic information about our customers (including Contact, Identity, Financial and Transaction Data) for six years after they cease being customers for tax purposes.

In some circumstances you can ask us to delete your data: see below for further information.

In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

12. Your Legal Rights

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

- Request access to your personal data.
- Request correction of your personal data.
- Request erasure of your personal data.
- Object to processing of your personal data.
- Request restriction of processing your personal data.
- Request transfer of your personal data.
- Right to withdraw consent.

You can see more about these rights at:

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

If you wish to exercise any of the rights set out above, please email us at sales@scorpionauto.com.

Customers will be able to access their personal data from the web based portal of their tracking system. You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may 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 may 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.

13. Third Party Links

Our websites may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy notice of every website you visit.

14. Cookies

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of our websites may become inaccessible or not function properly. For more information about the cookies we use, please see our Cookie Policy for further details.

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