

Blackwater Motors Group



PRIVACY POLICY

Blackwater Motors Group consists of the legal entities of:

The Blackwater Motors Group consists of:

1. Popular Motors Ltd T/A Blackwater Motors Fermoy
2. Blackwater Lease Options Ltd T/A Blackwater Motors Cork City
3. Enginella Ltd T/A Blackwater Motors Skibbereen
4. Blackwater Motors Service and Repair Centre Ltd T/A Audi Cork
5. Dillingham Ltd T/A Euromobil
6. Blackwater Motors Used Car Centre Ltd.

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1. General

Blackwater Motors Group is committed to protecting all personal and special categories of data (also referred to as sensitive personal data) held on you.

Our mission is the managing of the processes related to the sales of cars, parts and accessories, as well as servicing and complementary services, such as roadside assistance, we collect, process and store copious quantities of personal data from our customers on an ongoing basis.

We also want you to be clear as to what rights you can invoke to help you to protect your privacy.

In this regard, **it is important that you read this Privacy Statement** and understand our use of your personal data.

Please note that we reserve the right to update this Privacy Statement as required. The most recent version of this document can be found on our website through the following link: **www.blackwatermotors.ie**

1.1 Company Information

References to “VWGID”, “us”, “our”, “the Dealer” and “we” mean **Blackwater Motors Group**, and any associated companies from time to time.

1.2 Legislation

Rest assured that all personal data we gather will be processed in accordance with all applicable data protection laws and principles, the EU General Data Protection Regulation 2018 and the Data Protection Acts 1988 and 2003.

1.3 Queries and Complaints

If you are unhappy with the way we have handled your personal information and wish to complain or if you simply want further information about the way your personal data will be used, please contact us by any of the following options:

Martha Mc Carthy and/or Jean Murphy

Blackwater Motors

Dublin Road, Fermoy, Co. Cork

1850 449 500

info@blackwatermotors.ie

You have the right to lodge a complaint with the Office of the Data Protection Commissioner. To contact the Office of the Data Protection Commissioner, please use the following details:

Data Protection Commissioner

Canal House

Station Road

Portarlinton

County Laois

Telephone: **+353 (0)761 104 8000**

Telephone: **+353 (0)57 868 4800**

Email: **info@dataprotection.ie**

LoCall Number: **1890 252 231**

Fax: +353 57 868 4757

Please note that we will take all appropriate steps to keep your personal data safe. In the unlikely event that we have a security breach, we will notify you without undue delay about the circumstances of the incident in accordance with our legal obligations.

2. How do we collect information?

We collect personal data to provide our services to you. This data may be collected directly by our staff, our website, any applications used by us, or indirectly through a third-party service provider on our behalf.

The personal data we collect will be gathered and stored as set out in this Privacy Statement. This will be done directly by our Sales, Administration, Service, Parts and Technical staff. The categories of personal data that we gather are listed in Section 5 'Data Collected' below.

We gather personal data, to market and sell our products and services, servicing facilities to you, our customer.

3. What do we use information for?

We mainly use your personal information so that we can provide you with quality car sales and services together with finance and leasing services' options when requested by you.

We will always give you the option not to receive marketing communications from us. We will never send you unsolicited 'junk' email or communications, or share your data with anyone else who might. We do not sell your information to third parties, but we do work closely with selected partners who help us to provide you with the information, products and services that you request from us. For example, the AA who provide roadside assistance on our behalf.

However, more specifically, we may use the personal data we gather for any or all the following purposes):

Process	Description	Lawful Basis for Processing
Purchasing a Vehicle or Part / Booking Vehicle Service	When a customer books a vehicle service, and / or orders a vehicle or motor part from us, we obtain and enter the relevant personal data into our Dealer Management System (DMS). These details are not directly stored by us – but order reference number is maintained on the DMS.	The processing is necessary for the performance of a contract to which the data subject is party.
Car Financing / Leasing	We assist customers in obtaining car financing and / or leasing from a variety of third parties such as Volkswagen Bank GmbH Branch	The processing is necessary in order to take steps at the request of the data subject prior to entering into a contract to which the data subject is party.
Marketing to Potential Customers	Information is collected by our Sales, Service and/or Marketing staff when any customer, or potential customer, contacts the dealership. We record this data in our Customer Relationship Management System and/ or DMS and use the data to market to you. This data is then sent to third party service providers such as Dealer Marketing, and Mailchimp	Where you are a potential customer: The data subject has given explicit consent to the processing. Where you are a customer: The data subject has given explicit consent to the processing.

Customer Satisfaction Survey	<p>We send out customer satisfaction surveys based on the personal data which is extracted nightly from our DMS.</p> <p>This includes customers and potential customers who are inputted into CRM System/DMS.</p> <p>Additionally, all individuals who interact with us can be surveyed on their experience with us.</p>	<p>Where you are a potential customer: The data subject has given explicit consent to the processing.</p> <p>Where you are a customer: The processing is in our legitimate interests to ensure the quality of services provided by our staff.</p>
Quality Improvement / Staff Training	<p>All phone-calls, written communications and related details stored on our internal server.</p> <p>Similarly, all communications / queries received through our Web Site are kept on our server.</p> <p>These communications are stored for both quality improvement and staff training purposes.</p>	<p>The processing is in our legitimate interests in providing a high standard of services to our customers, by assessing the ongoing development and identifying areas for improvement.</p>
CCTV	<p>We operate a CCTV system on our premises to protect the safety and security of our staff and property.</p>	<p>The processing is in our legitimate interests as a private company regarding Safety and Security.</p>
Anti-Money Laundering	<p>We use your personal data to comply with anti-money laundering regulations.</p> <p>In the event of a customer wishing to pay us with personal funds more than €10,000, a regulatory form must be completed containing personal data.</p>	<p>The processing is necessary for compliance with a legal obligation to which the controller is subject.</p>
Change of Ownership Documentation	<p>We process change of ownership documentation (i.e. vehicle registration certificates) for customers through the Revenue Online Service.</p>	<p>The processing is necessary in order to take steps at the request of the data subject prior to entering into a contract to which the data subject is party.</p>
Safety Incidents / Product recall	<p>We may use your personal data to contact you regarding an urgent safety measure and / or a product recall.</p>	<p>The processing is necessary for compliance with a legal obligation to which the controller is subject.</p>
Staff Data	<p>For data subjects who are Employees of the dealership, we may use your personal data during our operations such as for human resources and payroll purposes.</p>	<p>The processing is in our legitimate interests as a private company as well as necessary for compliance with a legal obligation to which the</p>

	controller is subject.
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We may also process your data for other purposes in line with our data protection policies.

To enable us to support customers with sales and other enquiries

1. To respond to correspondence you send to us and fulfil the requests you make to us (for example: test drives, service requests, brochure requests or information about specific vehicles);
2. To provide vehicle support and services (for example warranty services);

To support us in understanding customers' and drivers' needs

1. To analyse, evaluate and improve our products and services so that your visit and use of our website, applications, customer service centre and authorised repairer network are more useful and enjoyable (we will generally use data amalgamated from many people so that it doesn't identify you personally);
2. To undertake market analysis and research (including contacting you with customer surveys) so that we can better understand you as a customer and provide tailored offers, products and services that we think you will be interested in. We will only send marketing communications to you if you have provided your consent for us to do so or which we have obtained in the ways mentioned in the paragraph above;

Processing is necessary for product development purposes (for example to improve vehicle quality, performance and safety);

1. In some cases, we may use automated methods to analyse, combine and evaluate information that you have provided to us (including the sharing of your personal information with the manufacturer. We collect and analyse this information in this way so that we can deliver the most appropriate customer experience to you by tailoring and making relevant all our service and communications (for example, when your mileage suggests your vehicle is due for a service);

Processing necessary for us to promote our business, brands and products and measure the reach and effectiveness of our campaigns

1. To send you marketing information from time to time after you have purchased a product or service from us or made a purchasing enquiry, closed your browser with items in your shopping basket or requested a test drive, brochure or other information of interest. We will only contact you with information about our own products and services (and in ways the law allows), which we hope you will like. You have the right to object to us sending you this information at any time;
2. To contact you from time to time with marketing information (unless you object) if you have expressly indicated to us that you are acting on behalf of a business or where we have

obtained your business contact details from our authorised repairer network or an online or public business directory. In relation to any such information we send

3. by email or SMS, we will include an option allowing you to object to receiving future messages by unsubscribing;
4. To contact you with targeted advertising delivered online through social media and other platforms operated by other companies, unless you object. You may receive advertising based on information about you that we have provided to the platform or because, at our request, the platform has identified you as having similar attributes to the individuals whose details it has received from us. To find out more, please refer to the information provided in the help pages of the social media and other platforms on which you receive advertising from us;
5. To identify and record when you have received, opened or engaged with our website or electronic communications;
6. To administer competitions and promotions that you enter with us from time to time and to distribute prizes.

Processing necessary for us to operate the administrative and technical aspects of our business efficiently and effectively

1. To verify the accuracy of information that we hold about you and create a better understanding of you as a customer;
2. For network and information security purposes i.e. for us to take steps to protect your information against loss, damage, theft or unauthorised access;
3. To comply with a request from you regarding the exercise of your rights (for example where you have asked us not to contact you for marketing purposes, we will keep a record of this on our suppression lists to be able to comply with your request);
4. To inform you of updates to our terms and conditions and policies.

Legal Obligation

We may process your personal information to comply with our legal requirements (for example to register your car with the (Driver and Vehicle Licensing Agency).

Not Providing Information

If you do not provide us with all the information we require, the resulting action may be that we are not able to fully offer you our services.

Furthermore, some services provided by us require certain categories of information, without which, we may not be able to provide you with the service.

4. Who do we share information with?

There are various circumstances where we may share personal data with other parties. Generally, this includes your representatives and our representatives, and some pre-advised third parties.

We do not sell your information to third parties. However, we may from time to time disclose your information to the following categories of companies or organisations to which we pass the responsibility to handle services on our behalf:

- Roadside assistance service providers
- Customer contact centres
- Mobility and car hire providers
- Direct marketing communications agencies and consultants
- Market research and market analytics service providers
- Legal and other professional advisors

We take steps to ensure that any third-party partners who handle your information comply with data protection legislation and protect your information just as we do. We only disclose personal information that is necessary for them to provide the service that they are undertaking on our behalf. We will aim to anonymise your information or use aggregated none specific data sets where ever possible.

Sharing within Volkswagen

There are circumstances where we share your information with the manufacturer (or other companies within our Group) to fulfil orders, transactions, handle complaints or provide you with a service or information that you have requested.

International Transfers

Due to the international nature of our business, there may be some instances where your information is processed or stored outside of the EU. In those instances, we will ensure that appropriate safeguards are in place for that transfer and storage as required by applicable law.

Your representatives:

Any party you have given us permission to speak to (such as a relative or friend), your motor insurance company and other people or companies associated with you;

Our representatives:

Our employees and employees within the Blackwater Motors Group, VWGI and contractors including companies that provide services in relation to telecommunications and postage, data storage, document production and destruction, IT and IT security, customer loyalty programmes.

Other third parties:

Other motor insurance companies, external advisors (such as solicitors and accountants) and auditors, other VW Group companies, third parties with which we may choose to improve our processes, products or services or to investigate the possibility of new processes, products or services and prospective sellers or buyers if we decide to sell or buy any business or assets; and

State or government departments, bodies or agencies.

The State department (i.e. The Irish Revenue) for the notification of change-of-ownership for a used vehicle, and/or transfer of leasing commitments. The Regulatory Authority, (i.e. the Financial regulator) for Anti-money laundering compliance.

Please feel free to contact us (details in Section 1 'General' above) if you would like more details about the parties with whom we share your information.

Where we choose to have certain services provided by carefully selected third parties, we take precautions regarding the practices employed by the service provider to ensure your personal data is stored and processed legally and securely. We stipulate that such third parties shall have made every possible effort to achieve a state of readiness for GDPR.

We operate as a Data Processor for our partner, VWGI, and as Data Controller, for our non-Volkswagen business operations. We will use every effort to protect your personal data and we will not sell your personal information to any third-party companies.

5. What type of information is collected?

As a car dealership we need to collect many categories of personal data (about you and other parties) for the purposes set out in this Privacy Notice.

While the type of personal data may change occasionally, we believe it is important you are aware of the types of personal data we gather and use. The following table is a non-exhaustive list and provides an indication of the categories and types of personal data we use to perform our duties.

Please note that information listed under one category may be used for the performance of a task or in relation to activities under another heading or as outlined under Section 3.

Purpose	Type of Data
Sales of Products / Services	Name, Contact Details, Occupation, Car Details, Lease Operator Information, Bank Details, Service History, Gender
Customer Care	Name, Contact Details, Car Details, Phone Calls
Finance	Detailed Financial Information
Marketing	Name, Contact Details, Occupation, Car Details, Gender, Service History
Security	CCTV Footage

6. How long do we retain information?

We have a comprehensive record retention schedule. The retention periods differ depending on the purpose of the processing and the nature of the information. How long we keep data is primarily determined by how long we need it for the purposes we told you we were going to use it for, time periods set out in law and the period we need to keep it to defend ourselves against legal action.

Generally, we keep information for the periods set out in the table below:

Type of Information	Retention Period
Name and Contact Details	7 years
Vehicle Details	7 years
Finance Applications	30 days
Service and Repair History	7 years
CCTV Footage	30 days

However, in some cases we may need to keep personal data longer than the above periods. Examples of these situations include legal cases and system back-ups required for disaster recovery.

We also retain certain limited details beyond the above time periods to validate and handle any motor insurance claims we receive after the statute of limitations has expired (late claims) and any claims we receive where the claimant was not aware of the injuries until a long time after they were caused (latent claims).

After the periods set out above, we will anonymise or delete the personal data. Anonymisation means that we will delete certain aspects of the information we hold (such as name and street address) so that we can no longer determine who the data relates to.

Please feel free to contact us if you would like more information about data retention periods.

7. What are your rights?

As a data subject, you will have the following rights, as outlined in this section. However, restrictions may apply in certain situations

Where do I send requests?

Please send all your requests to the contact details provided in Section 1, with as much detail as possible about your requirements to allow us to deal with your request efficiently. To answer your request, we may ask you to provide identification for verification purposes.

How long will a request take to complete?

Upon receipt of a request, we will have 30 days to provide a response, with an extension of two further months if required. If we require more time to deal with your request, we will notify you of the delay, and the factors resulting in the delay, within 30 days of the receipt of the request. If we refuse your request, we will notify you within 30 days of the receipt of the request accompanied by the reason for refusal.

We will not charge a fee for any requests, provided we do not consider them to be unjustified or excessive. If we do consider these to be unjustified or excessive, we may charge a reasonable fee (also applicable for multiple copies) or refuse the request.

You are entitled to contact the Office of the Data Protection Commissioner if we refuse your request.

Right of Access

You have a right to know what personal data we hold on you, why we hold the data, and how we are processing the data.

When submitting your request, please provide us with information to help us verify your identity, name, address, contact number, email address, vehicle registration and detail we need to help us identify the information you wish to access (i.e. date range, subject of the request).

Please note that an access request is free of charge, however, where we determine a request to be unjustified or excessive, we may charge you a reasonable fee.

Right to Rectification

You have a right to request that the personal data held in relation to you is up to date and accurate.

Where information is inaccurate or incomplete, we encourage you to contact us to have this information rectified. Upon receipt of request, we will ensure that the personal data is rectified and as up to date as is reasonably possible.

Right to be Forgotten

You have the right to seek the erasure of personal data relating to you in the following circumstances:

- The personal data is no longer required for the purposes for which it was obtained.
- Where data is being processed on the basis of consent, you withdraw consent to the processing and no other lawful basis exists.
- The personal data is being unlawfully processed.
- You object to the processing of personal data and there are no overriding legitimate grounds for the processing.
- Your personal data requires deletion in line with legal requirements.

However, we will be unable to fulfil an erasure request if the processing of personal data is necessary for the following:

Please be aware that in certain circumstances we may need to retain some information to ensure your preferences are respected in the completion of our duties. For example, we cannot erase all information about you where you have also asked us not to send you marketing material. Otherwise, your preference not to receive marketing material would be erased.

Right to Restriction

You have the right to restrict the extent of personal data processed by us in circumstances where:

- You believe the personal data is not accurate (restriction period will exist until we update your information).
- The processing of the personal data is unlawful but you wish to restrict the processing of data rather than erase it.
- Where the personal data is no longer required by us but you require the retention of the data for the establishment, exercise, or defence of a legal claim.
- You have a pending objection to the processing of your personal data.

When processing is restricted, your personal data will only be processed: with your consent; for the establishment, exercise or defence of legal claims; for the protection of the rights of other people; or for reasons important to public interest.

We will contact you confirm where the request for restriction is fulfilled and will only lift the restriction after we have informed you that we are doing so.

Right to Data Portability

You have the right to the provision of all personal data held in relation to you in a structured, commonly used and machine-readable format where:

- Processing is completed on the basis of a contract.
- Processing is completed based on the provision of your consent.
- Processing is carried out by fully automated means.

You may also request that we send this personal data to another data controller where technically feasible.

Right to Object

You have the right to object to the processing of your personal data. However, the processing must have been undertaken on the basis of legitimate interest by us.

If you wish to object to the processing of data, please contact us with your request. We will then stop the processing of personal data unless it is required for legal proceedings.

Right not to be subject to Automated Decision Making, including Profiling

You have a right not to be subject to a decision based solely on automated processing or profiling, where such decisions would have a legal effect or significant impact on you.

Occasionally we use profiling.

Where we (or one of our third-party processors) use profiling, which produces legal effects for you or otherwise significantly affects you, you will have the right to object to such processing.