

G. & J. PECK LIMITED

PRIVACY NOTICE

G. & J. Peck Limited respects your privacy and is committed to protecting your personal data. This privacy notice will inform you how we look after your personal data if you are a customer, supplier or professional contact of G. & J. Peck Limited, when you visit our websites (<https://www.peck.co.uk> and <https://shopatpeck.co.uk>) or otherwise provide us with such information.

It is important that you read this privacy notice, together with any other privacy policy we may provide, so that you are fully aware of how and why we are using your data.

1. Important information

G. & J. Peck Limited (a company incorporated in England and Wales with company number **00144465**) is the controller and responsible for your personal data (collectively referred to as "Pecks", "we", "us" or "our" in this privacy policy).

We have appointed a data privacy manager who is responsible for overseeing questions in relation to this privacy policy. If you have any questions about this privacy policy, including any requests to exercise your legal rights, please contact the data privacy manager using the details set out below.

Contact details

Our full contact details are as follows:

Address: 90 Lancaster Way Business Park, Ely, England, CB6 3NX

Telephone Number: 01353 664515

Data Privacy Manager: Judith Loversidge

Email address: marketing@peck.co.uk

Changes to the privacy policy and your duty to inform us of changes

This version was last updated on 1st August 2018. We may update this privacy policy over time – please check this page regularly, or contact us, for the latest version.

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.

Third-party links

This website 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 policy of every website you visit.

1. The data we collect

We collect, use, store and transfer:

- Personal and identity data (including name and email addresses), date of birth, contact details, bank account and payment card details, and other related details required so that we can provide our services;
- Personal and identity data that you use to complete our credit application forms including name, contact details, address (including historic addresses), credit details, references of third party suppliers (“Referees”) together with any information that may be provided about you by the Referees to us from time to time;
- Personal and identity data (including name and email addresses), contact details and all reference details provided by Referees to us so that we can provide our services.
- To the extent that our customer has agreed to certain services, data about our customers’ vehicle and/or machine registration and identification numbers. Further, telematics information about the location of our customers’ vehicle and/or machine.
- Data about your usage of our website including technical data such as your IP address, information about your device, and your browsing patterns, which is collected automatically by using cookies and other similar technologies such as Google Analytics and Facebook Pixel.

Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with goods or services). In this case, we may have to cancel a product or service you have with us but we will notify you if this is the case at the time.

1. How we use your personal data

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 or have entered into with you.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal or regulatory obligation.

More specifically, we have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Purpose/Activity	Lawful basis for processing including basis of legitimate interest
To register you as a new customer or supplier	Performance of a contract with you
To verify your identity and to identify you when you contact us.	Performance of a contract with you
To make decisions on credit and other facilities, about you, your financial associate(s), members of your household or your business. This includes contacting your Referees and passing information to them.	Necessary for our legitimate interests (to recover debts due to us)
To help to prevent fraud and money laundering	Necessary to comply with a legal obligation
To process and deliver your order including: (a) Manage payments, fees and charges (b) Collect and recover money owed to us	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to recover debts due to us)
To deliver goods to you or provide services to you.	Performance of a contract with you.
To manage warranty claims, servicing activities, and queries regarding our goods or services provided to you	(a) Performance of a contract with you Necessary for our legitimate interests (to provide aftercare services to you).
To manage our relationship with you which will include: (a) Notifying you about changes to our terms or privacy policy (b) Asking you to leave a review or take a survey	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to keep our records updated and to study how customers use our products/services)
To enable you to use telematics data and GPS tracking service such as but not limited to JCB Livelink	Performance of a contract with you and third party provider.
To send data to manufacturers and suppliers of equipment you	Necessary for the legitimate interests of a third party.

purchase to allow them to fulfil their obligations regarding warranties and product safety, provide assistance services through their authorised network, respond to your requests and communications, and to conduct surveys.	
To enable you to partake in a competition or complete a survey	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to study how customers use our products/services, to develop them and grow our business)
To administer and protect our business and our website (including but not limited to troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(a) Necessary for our legitimate interests (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) (b) Necessary to comply with a legal obligation
To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you	Necessary for our legitimate interests (to study how customers use our products/services, to develop them, to grow our business and to inform our marketing strategy)
To use data analytics to improve our website, products/services, marketing, customer relationships and experiences	Necessary for our legitimate interests (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)
To make suggestions and recommendations to you about services that may be of interest to you.	Consent (where you have provided positive consent) Necessary for our legitimate interests (to develop our products/services and grow our business)
To invite you to seminars or events, or to tell you about developments at Pecks or in our industry more generally or marketing for services or goods in general.	Consent (where you have provided positive consent) Necessary for our legitimate interests (to develop our products/services and grow our business)

We retain the right, to access, view and interrogate telematics data and GPS tracking services such as but not limited to JCB Livelink Monitoring Service and any successor

telematics system operating on products that have been supplied by us. We may use this system to verify the location, mode of operation, service history or/any other information held on the system regarding operation and/or performance of such products.

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose.

In addition, we may process your personal data without your knowledge or consent, where this is required or permitted by law.

Marketing

We may use your personal data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which services and offers may be relevant for you.

You will receive marketing communications from us if you have requested information from us or purchased goods or services from us and, in each case, you have not opted out of receiving that marketing on the basis that this is within our legitimate interests to do so.

You can ask us to stop sending you marketing messages at any time by following the opt-out links on any marketing message sent to you or by contacting us using the details above at any time.

With your express consent, we will communicate your details to manufacturers and suppliers for the purpose of them sending you communications regarding their products and services, or to allow them to send you questionnaires and surveys.

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 this website may become inaccessible or not function properly. For more information about the cookies we use, please see our separate Cookies Policy.

Fraud

If we determine that you pose a fraud or money laundering risk, we may refuse to provide the products or services you have requested, or we may stop providing existing products or services to you.

A record of any fraud or money laundering risk will be retained by the fraud prevention agencies, and may result in others refusing to provide services, financing or employment to you.

1. Disclosures of your personal information

We may have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 3 above:

- **Service providers** based within the UK or wider EEA who provide IT and system administration services.
- **Affiliated manufacturers** if you are acquiring or are interested in acquiring their products or for the purposes of such manufacturers providing warranties to customers, or providing telematics data and GPS tracking service such as but not limited to JCB Livelink which can track the location of vehicles and equipment for purposes such as security.
- **JCB Finance Ltd** where they are a provider of equipment you purchase or provider of finance to you, for the purpose of allowing them to fulfil their obligations regarding warranties and product safety, provide assistance services through their authorised network, respond to your requests and communications, and to conduct surveys.
- **CNH Industrial NV and members of its group**, where they are a provider of equipment you purchase or provider of finance to you, for the purpose of allowing them to fulfil their obligations regarding warranties and product safety, provide assistance services through their authorised network, respond to your requests and communications, and to conduct surveys.
- **Financial services providers**, such as our suppliers of finance facilities to customers.
- **Professional advisers** including lawyers, bankers, auditors and insurers based in the UK or EEA who provide consultancy, banking, legal, insurance and accounting services.
- **HM Revenue & Customs**, regulators and other authorities based in the UK who require reporting of processing activities in certain circumstances.
- **Businesses in the supply chain** including suppliers, customers and any other person involved to enable us to perform our obligations or related matters pursuant to our business contracts.
- **Your Referees** who we contact to provide credit references.
- **Third parties** to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. 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 policy.

We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

1. **International transfers**

We may transfer your personal data to third parties providing services to us who are based outside of the European Economic Area (**EEA**). This includes parties providing IT administration services and hosting services, and parties providing assistance with managing our marketing databases.

Whenever we transfer your personal data outside of the EEA, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- Transferring data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission;
- using specific contracts approved by the European Commission which give personal data the same protection it has in Europe; or
- for providers based in the US, we may transfer data to them if they are part of the Privacy Shield.

A third party to whom we transfer your data may transfer that data outside of the EEA for limited purposes.

1. **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.

For more details of our specific retention periods, please contact our Data Privacy Manager.

1. **Your legal rights**

Under certain circumstances, you have rights under data protection laws in relation to your personal data. These rights are set out below. If you wish to exercise any of the rights set out above, please contact our Data Privacy Manager.

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.

Complaint to the ICO

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

Your legal rights

Your legal rights are as follows:

- **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.
- **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).
- **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.
- **Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in certain circumstances, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal data to you or to a third party.
- **Withdraw consent at any time** where we are relying on consent to process your personal data, although this may mean we are unable to provide certain benefits or assistance to you.

