

USE OF YOUR INFORMATION

Introduction

The data controller in respect of your personal data is Santander Consumer (UK) plc (referred to as “we”, “our” or “us” in this statement). If you have any queries about our handling of your information, you can contact our Data Protection Officer (DPO) at Santander House, 86 Station Road, Redhill RH1 1SR.

This data protection statement explains how we will use the personal data that you provide to us when your business makes an application for wholesale dealer funding or that we have obtained about you through our use of the personal data you have provided (referred to in this policy as your “**information**”) when your business enters into a wholesale funding agreement with us. Please read this statement carefully.

Information we collect about you

The categories of information that we may collect about you, as director, shareholder or personal guarantor of the business that makes an application for wholesale dealer funding, are as follows: name, business/ work address, personal address, e-mail address, telephone number, address history, date of birth, marital status, driving licence number, citizenship, any ID documents required to be provided by you (such as Passport, ID Card, driving licence and, where you are a guarantor, we may also request a Statement of Personal Net Worth). If you fail to provide us with the mandatory information that we request from you in the process of your application for wholesale dealer funding, we will not be able to proceed with the credit reference and fraud prevention checks described below and, subsequently, we will not be able to consider your application.

From time to time we may require other forms of personal information as required to comply with legal or regulatory requirements or for the adequate management of the wholesale funding agreement. If, following entering into the wholesale funding agreement, you fail to provide us with the mandatory information that we request from you, we may not be able to properly manage the wholesale funding agreement we have with your business (for example, it may have an impact on our ability to assist you with any queries) and may eventually result in us taking action in accordance with the terms of your dealer agreement or wholesale funding agreement, including cancellation.

In addition to the information that you provide in the application for wholesale dealer funding to us, we will also collect information about you from enquiries we make about you with credit reference and fraud prevention agencies.

If your information changes during the term of the wholesale funding agreement, you must inform us immediately.

Use of your information

The purposes for which we use your information and the legal bases under data protection laws on which we rely to do this are as follows (as relevant):

- It is necessary for the **performance of the contract** with you or to take steps to enter into it if you are a guarantor and entering a guarantee agreement with us, or if your business is a partnership or sole trader. This includes verifying your identity, assessing the application for wholesale dealer funding, administering the agreement between us (including tracing your whereabouts to contact you and recover debt if you have provided your personal guarantee to us in respect of our lending to your business, or if your business is a partnership or sole trader) and to provide you with the service under that agreement (i.e. communicating with you, dealing with any complaints and notifying you of any changes to this statement).
- It is necessary for our **legitimate interests** or that of a third party. This includes:
 - assessing your business’s application for wholesale funding and any lending risks; and
 - administering the agreement between us and your business and to provide the service under that agreement (i.e. managing your business’ facilities, communicating with you, mid and end agreement reviews, dealing with any complaints and notifying you of any changes to this statement) relating to the lending to your business;
 - preventing fraud and money laundering, and to verify your identity, in order to protect our business and to comply with laws that apply to us.

- It is necessary for **compliance with a legal obligation**. This includes when you exercise your legal rights under data protection law, to verify your identity, for the establishment and defence of our legal rights, for activities relating to the prevention, detection and investigation of crime, to conduct credit, fraud prevention and anti-money laundering checks and for compliance with our legal and regulatory responsibilities.

Disclosure to and use by third parties

We disclose your information to the following third parties:

- Our group of companies*.
- Credit reference agencies (including Experian, Call Credit, Equifax and Delphi) and fraud prevention agencies. Please see ‘Use by credit reference and fraud prevention agencies’ for further information about these agencies and what they do – you can also contact us on 0800 085 1759.
- Law enforcement agencies in order to detect, investigate and prevent crime (we or any fraud prevention agency may pass your information to law enforcement agencies).
- Third party debt collecting agencies engaged by us to recover monies owed to us if you have provided your personal guarantee to us in respect of our lending to your business or if your business is a partnership or sole trader.
- Third parties acting on our behalf, such as back-up and server hosting providers, IT software and maintenance providers and their agents and third parties that provide income verification services, affordability checks and communication fulfilment services.
- Outsourced service providers required for compliance with a legal or regulatory obligation and provision of service to your business.
- Courts in the United Kingdom or abroad as necessary to comply with a legal requirement, for the administration of justice, to protect vital interests and to protect the security or integrity of our business operations.
- Any third party who is restructuring, selling or acquiring some or all of our business or assets or otherwise in the event of a merger, re-organisation or similar event.
- Third party advisors in relation to our advice sought in connection with a proposed wholesale funding agreement and in respect of any advice obtained by us in relation to securing charges against your business’s property as part of the wholesale funding agreement.

Use by credit reference agencies

In order to process your business’s application for wholesale dealer funding, we will perform credit and identify checks on you with one or more credit reference agencies (CRAs). To do this, we will supply your personal information to CRAs and they will give us information about you. This will include information from your credit application and about your financial situation and financial history. CRAs will supply to us both public (including the electoral register) and shared credit, financial situation and financial history information and fraud prevention information. When CRAs receive a search from us they will place a search footprint on your credit file that may be seen by other lenders.

We will use this information to:

- assess your creditworthiness as part of our validation of your business, including checking your financial history and checking you are registered on the electoral role and assessing your guarantor’s ability to repay any debt;
- verify the accuracy of the data you have provided to us;
- prevent criminal activity, fraud and money laundering;
- trace and recover debts if you have provided your personal guarantee to us in respect of our lending to your business or your business is a partnership or sole trader; and
- ensure any offers provided to the business are appropriate in light of your circumstances as director.

We will continue to exchange information about you with CRAs and undertake checks while you and your business have a relationship with us. If information supplied to us by the CRAs confirms that a director and/ or guarantor of your business has an adverse mark against them, including for example a registered County Court Judgment, poor credit history and/ or an instance of bankruptcy it will be likely to negatively impact on our decision to enter into the wholesale funding agreement with your business.

If you are making a joint application, or tell us that you have a spouse or financial associate, we will link your records together, so you should make sure you discuss this with them, and share with them this information, before making an application to us. CRAs will also link your records together and these links will remain on your and their files until such time as you or your partner successfully files for a disassociation with the CRAs to break that link.

The identities of the CRAs, their role also as fraud prevention agencies, the data they hold, the ways in which they use and share personal information, data retention periods and your data protection rights with the CRAs are explained in more detail at www.experian.co.uk/crain (please note that the Credit Reference Agency Information Notice is the same for each of the CRAs).

Before we provide services, goods or financing to your business pursuant to the wholesale funding agreement, we undertake checks for the purposes of preventing fraud and money laundering, and to verify your identity. These checks require us to process your information. If we, or a fraud prevention agency, determine that you pose a fraud or money laundering risk, we may refuse to provide the services and financing you have requested or we may stop providing existing services to your business. 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. If you have any questions about this, please contact us on the details above.

Automated decisions

As part of the processing of your information, decisions may be made by automated means.

In regard to fraud prevention checks, this means that we may automatically decide that you pose a fraud or money laundering risk if:

- our processing reveals your behaviour to be consistent with that of known fraudsters or money launderers, or is inconsistent with your previous submissions; or
- you appear to have deliberately hidden your true identity

Retention of your information

If your business's application for wholesale dealer funding is declined or if the application is accepted but you do not proceed, we keep your information for 5 years or as long as necessary to deal with any queries you may have. If your application for wholesale funding is accepted and you proceed, we hold your information for 12 years from the date at which the wholesale funding agreement is terminated.

Credit reference agencies will retain the information that we give to them for 6 years after your account is closed (please see 'Use by credit reference agencies' for more information about the information that we give to them).

Fraud prevention agencies can hold your information for different periods of time, and if you are considered to pose a fraud or money laundering risk, your information can be held for up to 6 years.

We may hold your information for a longer or shorter period from that described above where:

- the law requires us to hold your personal information for a longer period, or delete it sooner;
- you exercise your right to have the information erased (where it applies) and we do not need to hold it in connection with any of the reasons permitted or required under the law; and
- in limited cases, the law permits us to keep your personal information indefinitely provided we put certain protections in place.

Transfers to third countries/ where we store your information

We store your information on servers located within the European Economic Area (EEA). The third parties listed under 'Disclosure to and use by third parties' may be located outside of the EEA or they may transfer your information outside the EEA. Those countries may not have the same standards of data protection and privacy laws as in the UK. Whenever we transfer your information outside of the EEA, we impose contractual obligations on the recipients of that information to protect your personal data to the standard required in the UK. We may also require the recipient to subscribe to 'international frameworks' intended to enable secure data sharing. Any third parties transferring your information outside of the EEA must also have in place appropriate safeguards as required under data protection law.

Your rights

You have the following rights (which may not always apply or be subject to certain circumstances):

- to **be informed** about the processing of your information (this is what this statement sets out to do);
- to have your information **corrected if it's inaccurate** and to have **incomplete information completed**;
- to **object to processing** of your information;
- to **restrict processing** of your information;
- to have your information **erased**;
- to **request access** to your information and information about how we process it;
- to **move, copy or transfer** your information ("*data portability*"); and
- rights relating to **automated decision making**, including profiling.

More information on your data subject rights and how to exercise these rights can be found in the 'Using my information' booklet available at www.santanderconsumer.co.uk or by requesting a copy via email from customerservices@santanderconsumer.co.uk or calling our customer services team on 0800 851759. Please note that the 'Using my information' booklet is specifically adapted and aimed at our consumers and, as such, not all of the content is applicable to you in your capacity as director and/ or shareholder and/ or guarantor of the business, however, the sections relating to data subject rights are applicable. Our Customer Services team act as a central point of contact for all queries in the first instance and, where appropriate, will redirect your request to our wholesale specific customer team. If you would like to discuss or exercise any of these rights, please contact us by writing to Santander House, 86 Station Road, Redhill, RH1 1SR or using the above contact information.

We encourage you to contact us before making any complaint and we will seek to resolve any issues or concerns you may have. You can also contact our DPO with any data protection concerns. You have the right to lodge a complaint with the Information Commissioner's Office where your data has or is being used in a way that you believe does not comply with data protection laws.

*Group companies

The Santander group of companies include Banco Santander, SCF Madrid: S.A.; Santander UK Santander Consumer (UK) plc; Santander Insurance Services UK Ltd.