

# VOLKSWAGEN FINANCIAL SERVICES

THE KEY TO MOBILITY

## Privacy Information Notice

### 1. About this Notice

Volkswagen Financial Services Ireland Limited (VWFSI), recognises that protecting Personal Data, including special categories of data (sometimes referred to as sensitive Personal Data), is very important to you. We have published this document to clearly outline, in a transparent way, how we will collect, use, store, protect and retain your Personal Data.

We are also committed to securely protecting the information you provide us with from loss, misuse, and unauthorized access or disclosure. This takes into account the sensitivity of the information collected, processed and stored, and the current state of technology.

Please take time to read this notice carefully and show it to anyone else who is a party to your agreement with VWFSIL, including authorised signatories, and beneficial owners if you are a business.

In addition, please make sure that anyone else whose information is shared with VWFSIL under your agreement is also provided with a copy of this notice.

### 2. Definitions

**Approved Volkswagen Group Dealers** means a dealer who has been authorised to sell Volkswagen Group Branded vehicles.

**Data Protection Laws** means (i) any applicable legislation in force from time to time which implement European Community Directive 95/46/EC and Directive 2002/58/EC and (ii) the General Data Protection Regulation (Regulation (EU) 2016/679) (GDPR) and any applicable legislation in force from time to time which implement the GDPR and any amendments, revisions or replacement in respect of the foregoing; "**Personal Data**", "**Data Subject**", "**Processing**", "**Data Controller**", "**Supervisory Authority** and "**Data Processing**" shall have the same meaning ascribed to them under applicable Data Protection Laws;

**Data Protection Officer** means an officer designated by VWFSI responsible for advising VWFSI of their obligations under Data Protection Laws, monitoring compliance and co-operating with the Supervisory Authority.

### 3. Products and Services

VWFSI offers, and sells motor vehicle finance solutions, leasing and other services connected with motor vehicles to customers (consumers and/or non-consumers) in Ireland through Approved Volkswagen Group Dealers. VWFSIL offers, and sells motor vehicle leasing solutions, service plans and other services connected with motor vehicles to customers (consumers and non-consumers). These are all referred to throughout this notice as "Product" or collectively "Products".

### 4. Data Controller

For the purposes of Data Protection Laws, VWFSI is the Data Controller or data processor of Personal Data covered by this Notice depending on the product as referenced in 2 above. Note that any VWFSIL also has a number of registered trading names. These are Audi Financial Services, Seat Finance Services and Skoda Financial Services.

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## 5. Data Protection Officer

You may contact Volkswagen Financial Services Ireland's' data protection officer about all issues related to this Policy, your Personal Data and to exercise your rights under Data Protection laws.

### **Contact Details of the Controller and Data Protection Officer**

<b>Post</b>	<b>Website</b>	<b>Email</b>	<b>Telephone</b>
Data Protection Officer Volkswagen Financial Services Ireland Limited Block C Liffey Valley Office Campus Dublin 22, Ireland	<a href="http://www.vwfs.ie">www.vwfs.ie</a>	DPO@vwfs.com	+353(0)1 2933700

## 6. Personal Data We Collect

The Personal Data VWFSI required of you will be gathered and stored as set out in this notice. Your Personal Data will either be directly collected by VWFSIL staff or, through an Approved Volkswagen Group Dealer of your choice. We also collect data through our website and on-line applications.

Approved Volkswagen Group Dealers act on our behalf and support our business by providing the initial engagement with you. The ongoing administration and management in relation to our Product(s) is provided directly by VWFSI depending on the product/service you purchase.

Depending on your product choice, the type of Personal Data and method of collection will vary.

### **6.1 Categories of Data Collected**

The categories of Personal Data collected may change depending on the product and the specific purpose for which it is collected. The category headings and types of data collected set out below are non-exhaustive and may be used for a range of processing activities.

In addition to you as the customer, data may also be gathered on other parties who are connected with your agreement such as second hirers, directors, beneficial owners, drivers of leased vehicles or guarantors.

### ***The Categories of Data Collected***

#### Individuals

- Identification data: including, name, addresses, contact details, date of birth, evidence and verification of identification, home ownership
- Financial data: including income, evidence of income, bank account details
- Employment details: including occupation, employer, employment status, time with employer
- Electronic data: Email address and IP address

#### Businesses

- Company/Details of Business: including business type, address, business history, contact details
- Financial details: including financial obligations, trading position, business contract details
- Owners/Director's Personal Details: including, names addresses, contact details, date of birth, evidence and verification of identification, income details
- Beneficial Owners' Details: Shareholding/controlling interest, name, address, date of birth
- Electronic data: Email address and IP address

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## 6.2 Purpose of the Collection of Your Personal Data

When you request finance or other services from us, we collect Personal Data in order to assess your application and help us determine whether your application will be progressed to a product sale. The processing of your Personal Data for this purpose may involve us conducting credit assessments; assessing credit limits; and calculating and disclosing settlement figures. We also collect data for the ongoing administration of the product you have purchased from VWFSI.

Other activities we carry out using your data are:-

- **Automated decision making**

In assessing your application we use automated decision making methods to assist us with credit assessment and underwriting/loan approval.

VWFSI uses scorecard functionality which analyses each PCP/HP finance application using variables such as the finance application details, credit history and finance requirements to potentially automate the underwriting process. The scorecard does not automatically decline proposals, any application which is not automatically approved will be subject to a manual underwriting decision by a member of our Credit Team.

- **Credit Checks**

In order to generate a full and accurate credit application, we will also need to perform a credit check. A credit check may be carried out with the Irish Credit Bureau (ICB) or other Credit Registers, who will also record the details of the check.

### NOTICE FROM IRISH CREDIT BUREAU D.A.C ('ICB')

As a result of the introduction of the General Data Protection Regulation ('GDPR'), from 25th May, 2018 ICB will be using Legitimate Interests (GDPR Article 6 (f)) as the legal basis for processing of your personal and credit information. These Legitimate Interests are promoting greater financial stability by supporting a full and accurate assessment of loan applications, aiding in the avoidance of over-indebtedness, assisting in lowering the cost of credit, complying with and supporting compliance with legal and regulatory requirements, enabling more consistent, faster decision-making in the provision of credit and assisting in fraud prevention.

Please review ICB's Fair Processing Notice which is available at [http://www.icb.ie/policy\\_privacy.php](http://www.icb.ie/policy_privacy.php). It documents who they are, what they do, details of their data protection officer, how they get the data, why they take it, what personal data they hold, what they do with it, how long they retain it, who they share it with, what entitles them to process the data (legitimate interests), what happens if your data is inaccurate and your rights i.e. right to information, right of access, right to complain, right to object, right to restrict, right to request erasure and right to request correction of your personal information.

### THE CENTRAL CREDIT REGISTER

As part of the Credit Reporting Act 2013, a Central Credit Register has been established and is being administered by the Central Bank of Ireland. To comply with this regulation, VWFS must submit personal and credit information on our customer's PCP and HP credit facilities.

The information being submitted will include Personal Public Service Number (for new PCP/HP applications from the 30<sup>th</sup> June 2019) or Tax Reference Number (for business customers).

Under the Act, this information will form part of a credit report which will be accessible to the Data Subject as well as some third parties.

This information will be provided by VWFS on a monthly basis to the Central Credit Register (CCR) with effect from the 30th June 2019.

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**NOTICE: Under the Credit Reporting Act 2013 lenders are required to provide personal and credit information for credit applications and credit agreements of €500 and above to the Central Credit Register. This information will be held on the Central Credit Register and may be used by other lenders when making decisions on your credit application and credit agreements.**

The Central Credit Register is owned and operated by the Central Bank of Ireland. For more information, including on how your data is processed, see:-

<https://www.centralcreditregister.ie/>

- ***Anti-Money Laundering / Fraud***

In order to evaluate your application and to comply with relevant legal obligations within the Criminal Justice (Money Laundering and Terrorist Financing) Acts 2010 - 2018 your identity (name, address and date of birth) will be scanned through a screening system.

This is necessary for the detection and prevention of fraud, money laundering and other offences and to assist the Gardai or any other authorised investigatory body or authority with their inquiries or investigations.

In some cases we are required by law to report details of certain criminal activities and suspected criminal activities to the appropriate authorities.

- ***Marketing***

If you have consented, as well as Volkswagen Financial Services Ireland providing you with marketing information, your Personal Data may also be disclosed to our Business Partners for the purposes of providing information on our products, services and offers that may be of interest to you,

- ***Telephone Contact***

A personal landline, a work landline and personal mobile phone numbers may be required in the event that we need to contact you regarding the assessment of your credit application and for the ongoing management of your contract should you take out finance with us. We may also need to contact you for the ongoing management of the terms and conditions relating to any other product you may purchase from VWFSI.

If you have consented, we may contact you at your place of work.

Where you have not consented, and strictly in accordance with Section 46 of Consumer Credit Act 1995 in respect of PCP/HP, we may contact you at your place of work, in the event that you reside there, or where all other reasonable efforts to contact you have failed.

- ***Customer Relationship Management***

Your Personal Data may be processed for customer relationship management purposes which includes lead generation for Approved Volkswagen Group Dealers, classification and statistical analysis. This processing is undertaken to acquire an aggregated overview of our customers without making any predictions or drawing any conclusion about an individual. In addition a dealer may contact you to discuss your end of term options. If you have opted in for marketing purposes a dealer may also contact you to provide information on other products and services provided by Volkswagen Finance Services Ireland.

- ***Market Research***

Your personal data may also be used for market research which helps us to deliver quality products and service to you.

- ***Digital Services***

We collect personal data through our website and other online platforms in order to accept your instructions to make changes to your data or to manage the terms of your agreement. Accept your application for an on-line product or service. Provide you with information relating to the options you can avail of at the end of your Hire Purchase/PCP agreement.

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Adobe Target: On our website ([www.vwfs.ie](http://www.vwfs.ie) only) we use Adobe Target, a web analysis service from Adobe Systems Software Ireland Limited, 4-6 Riverwalk, Citywest Business Campus, Dublin 24, Ireland (hereinafter: "Adobe"). In this context, pseudonymised usage profiles are created and cookies are used to enable tests of our site and to offer you the appropriate content when you visit our website again.

The information generated by the cookie about your use of our website is transmitted to an Adobe server in London, England and stored there. This information may also be transferred to third parties if this is required by law or if third parties process this data on our behalf. Your IP address will not be merged with other Adobe data.

You can prevent the collection of the data generated by the cookie related to your use of the website by clicking on this Adobe Target [link](#) and selecting 'Out-Out'. By opting out this prevents the loading and transmission of personal data. The opt-out is only valid in the browser being used, only for our website, and is stored on your device. If you delete the cookies in your browser, you must set the 'Opt-Out' again.

You can find more information on data protection in connection with Adobe Target [here](#).

## 7. Sharing Your Personal Data

For the ongoing management of customer contracts, for business operations and in support of future business development, we may share your data with the following recipients:

### 7.1 *Approved Volkswagen Group Dealer Network*

Much of your interaction with VWFSI will occur through an Approved Volkswagen Group Dealer. Dealers act on behalf of VWFSI and provide the initial engagement with you. The ongoing administration and management in relation to the Product(s) or service provided to you will be undertaken directly by VWFSI.

Each of our Dealers has entered into a Data Processing Agreement with us. This Agreement commits them to comply with all applicable obligations under Data Protection laws, ensuring that your Personal Data is processed to the highest of standards.

### 7.2 *Business Partners*

Our Business Partners include:

- (i) **Volkswagen Group Companies:** We may share Personal Data with other Volkswagen companies legitimately for the operation and functioning of our business, necessarily for the performance of contractual obligations with our customers or in order to fulfil legal or regulatory obligations.
- (ii) **Other Third Party Entities:** These entities are businesses we have engaged with to provide products or services that are legitimate and/or necessary for the functioning and operation of our business. These entities may include insurance companies, fleet services providers, management companies, market research companies and promotional service providers. These entities are limited to parties that we have relationships with in order to provide you, our customer, with our Products and who support the functioning and operation of our business. All entities will have a Data Processing Agreement with us or GDPR specific clauses within our contract with them, which commits them to their obligations under Data Protection laws and provides VWFSI with the assurance that your Personal Data is being processed to the highest of standards.

### 7.3 *Why Personal Data May be Transferred to a Third Country*

In sharing Personal Data with third parties to help us provide you with products or services, VWFSI may transfer data outside the EEA. When we do so we expect our service providers to commit to high standards of data protection through recognised EU standards or specific contractual obligations to ensure your rights are protected.

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## 8. The Basis for Using your Personal Data

VWFSI comply with the EU General Data Protection Regulation and Irish Data Protection Legislation. We only collect, utilise and share Personal Data in strict adherence with Data Protection laws and principles. Your Personal Data has only been collected, utilised or shared by VWFSI if the processing is:

- undertaken on the basis of your consent;
- necessary for the performance of (or entering into) a contract;
- as a result of an existing legal obligation to which we are subject;
- in your vital interests;
- in the public interest;
- in VWFSI's legitimate interests.

### 8.1 Marketing Consent

In certain situations, we may obtain, collect and process your Personal Data to send you marketing communications about our offers, services and products. We will only send you such materials if you have consented and in accordance with your preferences for receiving marketing communications. For the purposes of marketing consent.

In providing consent, Volkswagen Financial Services Ireland and/or its Business Partners may market directly to you or share your information with providers of promotional services who act on our behalf.

Personal Data shared with Business Partners is processed in strict adherence to Data Processing Agreements or contractual terms including confidentiality obligations.

Note: You have the right to withdraw your consent at any time for any processing activities that you have consented to.

### 8.2 Collection of Data for Contractual Necessity

In order for VWFSI to provide you with the Product(s) or Service(s) you have requested, it will be necessary to capture Personal Data to process your request and establish a contract detailing the terms, conditions and contractual obligations on VWFSI and you as a Customer.

In that context VWFSI will continue to process your data in order to administer such contracts and agreements on an ongoing basis. This will involve the storing of Personal Data including back-ups of that data from a business continuity management perspective.

Prior to the end of the contract, we will correspond with you by letter notifying you that your end of term is approaching. After these letters issue and in order to support you in completing the end of term process, your Approved Volkswagen Group Dealer will contact you to discuss your options and help you with the end of term process from a customer perspective. The 'end of term' options are specific to Hire Purchase/PCP agreements.

The end of term process is considered to be a contractual necessity rather than a marketing activity.

### 8.3 Legal Obligations

We obtain, collect and process your Personal Data in order to comply with all our legal obligations. This includes processing Personal Data required under:

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- Consumer Credit Act 1995
- Criminal Justice (Money Laundering and Terrorist Financing) Acts 2010-2018;
- Companies Acts and Taxes Consolidation Act, 1997;
- Credit Reporting Act 2013;
- Other relevant legislation and regulations as required or to be enacted.

## **8.4 Your Vital Interests**

We may process Personal Data where it is deemed to protect your vital interests. This is an extremely rare circumstance for processing Personal Data and usually only occurs when essential for the life of the data subject or that of another individual.

## **8.5 Our Legitimate Interests**

We may process Personal Data where it is within our legitimate interests to do so, for example, for financial and statistical analysis. Where we use legitimate interest or you have given consent (for marketing) you have a right to object to us processing your information.

VWFSI has a legitimate interest in adding value to its product offerings and may process Personal Data to improve and adapt the range of products and services we offer, to help our business grow and to ensure that our systems are effective and efficient.

We have a legitimate interest in receiving feedback from customers on business performance, products, and satisfaction levels in order to respond to their needs so that we can adapt or range of products and services that we offer. A key method to support this activity is by way of market research and customer surveys conducted by our business partners.

## **9. Your Data Protection Rights**

You have consumer data rights which allow you to address any concerns or queries regarding the processing of your Personal Data. We will respond to your request within 1 (one) month of receipt of your request. All of your rights may be exercised freely and at no cost.

### **9.1 Right of Access**

You have the right to access and obtain a copy of the Personal Data that we hold about you. This is known as a Data Subject Access Request.

In order to facilitate this, we will need information to assist us in identifying you (such as your name, address and contract number) and the information you want access to. If you do not provide us with enough information, we may need to contact you for clarification.

### **9.2 Right to Rectification**

You have the right to request that we correct any inaccuracies in your Personal Data. We would welcome any corrections/updates to your information if you become aware that it is incorrect in any way.

### **9.3 Right to Erasure**

In certain circumstances, you have the right to request that we erase your Personal Data. For example, you may exercise this right in the following circumstances:

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- your Personal Data is no longer necessary in relation to the purposes for which it was collected or otherwise processed by us;
- where you withdraw consent and there is no other legal basis that permits the processing;
- where you object to the processing and there are no overriding legitimate or legal grounds for the processing;
- your Personal Data has been unlawfully processed; or
- your Personal Data must be erased for compliance with a legal obligation.

## **9.4 Right to Restriction**

You have the right to restrict the processing of your Personal Data where any of the following circumstances apply:

- you feel that the Personal Data which we hold about you is not accurate. This restriction will be in place for a period to enable us to verify the accuracy of your Personal Data and ensure that it is updated;
- the processing is unlawful and you do not want your Personal Data to be erased and request the restriction of its use instead;
- where the need to process your Personal Data is no longer required (e.g. any of the Purposes outlined above have been completed or expired), but is required in connection with legal proceedings;
- you have objected to the processing of your Personal Data pending the verification of whether or not our legitimate business interests override your interests, rights and freedoms.

Where you exercise your right to restrict the processing of your Personal Data, it will only continue to be processed with your consent or in connection with legal proceedings or for the protection of the rights of other people or for reasons of important public interest.

## **9.5 Right to Data Portability**

You have a right to receive the Personal Data you have provided to us. This right of data portability only applies to Personal Data that VWFSI processes on the basis of consent or for the purpose of entering or performing a contract (i.e. your PCP/HP, Service Plan, or Leasing contract).

## **9.6 Right to Object to Processing**

In certain circumstances, you have a right to object to the processing of your Personal Data where it is processed on the legal basis of VWFSI's legitimate business interest (outlined above). We may not be able to comply with such a request where we can demonstrate that there are compelling legitimate reasons for us to continue to process your Personal Data which override your interests, rights and freedoms or where the processing of your Personal Data is required for compliance with a legal obligation or in connection with legal proceedings.

## **9.7 Right to Object to Automated Decision-Making, including Profiling**

You have a right not to be the subject of decisions based solely on automated decision-making, including profiling, which produce legal effects concerning you.

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**Please note:** A decision not to approve an application for finance will never be based solely on the outcome of an automated decision and a member of our staff, who is qualified, will review all applications that are not automatically approved.

## 10. Exercising Your Rights with Us

You may contact Volkswagen Financial Services Ireland's Data Protection Officer if you wish to exercise any of your rights under Data Protection laws.

### **Contact Details of the Controller and Data Protection Officer**

<b>Post</b>	<b>Website</b>	<b>Email</b>	<b>Telephone</b>
Data Protection Officer Volkswagen Financial Services Ireland Limited Block C Liffey Valley Office Campus Dublin 22, Ireland	<a href="http://www.vwfs.ie">www.vwfs.ie</a>	DPO@vwfs.com	+353 (0)1 2933700

## 11. Enforcing Your Data Protection Rights

If you feel that the processing of your Personal Data is not in line with VWFSI's data protection obligations, you can complain to a Data Protection Supervisory Authority.

### **The Data Protection Supervisory Authority**

The Lead Supervisory authority for VWFSI is the Irish Data Protection Commissioner offices at:

<b>Telephone:</b> +353 (0)761 104 800	<b>Lo Call Number:</b> 1890 252 231	<b>Fax:</b> +353 57 868 4757
<b>Postal Address:</b> 21 Fitzwilliam Square South Dublin 2, D02 RD28 Ireland	<b>E-mail:</b> info@dataprotection.ie	

## 12. Data Retention

VWFSI will retain your Personal Data for as long as it is necessary to fulfil the purposes for which it was collected. However, we may be required by applicable laws and/or regulations to hold your data for longer than this period (e.g. a legal case).

Unless legally obliged to the contrary, VWFSI will delete your Personal Data in line with our Data Retention Policy.

Where there is a contradicting statutory obligation for us to retain your Personal Data, VWFSI aims to restrict/block further processing and then delete the relevant Personal Data when we no longer have a requirement to retain it.

Generally, we retain Personal Data for only as long as is necessary from the last transaction of the end of contract pursuant to our legal obligations.

## 13. Communicating with You

You may be contacted from time to time in relation to ongoing dealings with VWFSI. This contact will relate to the purposes set out in or referred to in this notice and may include (without limitation):

- administration of your contract;

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- at credit review stage;
- discussion of your end of contract term options;
- discussion of quotations already provided to you;
- arrears management
- handling complaints;
- marketing products and services and making offers (where you have consented to such contact);
- breach notification - If a security breach causes an unauthorized intrusion into our system that materially affects you, we will notify you as soon as possible and later report the action we took in response to any breach.

## **14. Where We Transmit and Store Your Personal Data**

On the basis of the VWFSI business model your Personal Data will be processed primarily within the European Union (EU), the United Kingdom and the European Economic Area (EEA).

## **15. Changes to this Policy**

VWFSI may change this Policy from time to time, in whole or part, at our sole discretion or to fulfil a legal obligation. We encourage you to check our website to view the most recent version of this Policy ([www.vwfs.ie](http://www.vwfs.ie).) You may also request a copy of the most recent version of this Policy by contacting us.

If, at any time, VWFSI decides to use your Personal Data for a purpose that is different from the original purpose of collecting it, you will be advised of this change.