

## **JCB LIVELINK PRIVACY POLICY**

### **INTRODUCTION**

JCB is committed to protecting your personal information [and complying with the General Data Protection Regulation (GDPR)]. This policy describes how we collect, use, store and disclose your personal information and the telematics information generated from the JCB products (JCB Products) with Livelink fitted.

JCB is made up of a group of related companies and affiliates. JCB Service is the lead data controller in respect of personal data processed under this policy. JCB Service's company number is 564955 and registered address is Lakeside Works, Rocester, Uttoxeter, Staffordshire ST14 5JP. JCB sells the JCB Products through an independent network of authorised dealers (JCB Dealers), which JCB Dealers also provide repair and maintenance services in connection with JCB Products. JCB also works with approved finance partners to deliver financing solutions to customers in relation to JCB Products (JCB Finance Partners).

This policy applies to any personal information provided by you through the JCB Livelink website (<https://www.jcbl.com>) and telematics information generated from the JCB equipment.

It is important that you read this privacy policy together with any other privacy policy JCB may provide on specific occasions when we are collecting or processing personal information about you so that you are fully aware of how and why we are using your personal information (for example, JCB Sales and Marketing Privacy Policy, JCB Training Privacy Policy, JCB Website Privacy Policy, JCB ServicePro Privacy Policy, JCB Technical Publications Store and JCB Parts Online Privacy Policy). This policy supplements these other policies and is not intended to override them.

### **WHY DO WE COLLECT PERSONAL INFORMATION ABOUT YOU?**

This site collects personal information about you for JCB and its independent JCB Dealers to provide you with information regarding your JCB Products which have the JCB Livelink system fitted, to deal with any enquiries you may have regarding JCB Livelink and to improve and develop the JCB Livelink system and website for the future.

### **WHAT INFORMATION DO WE COLLECT AND HOW DO WE COLLECT IT?**

JCB collects the following types of information about you:

- Forename and surname
- E-mail address
- Telephone number
- Company Name
- Address
- Details of your JCB Product (model number and serial number)
- Log-in details (username and password)
- The JCB Dealer with which you have a commercial relationship
- Your preferences regarding receipt of notifications regarding your JCB Product to email/phone
- Feedback and survey responses
- Your preference regarding receipt of marketing from us

Depending on your settings or the privacy policies for other online services, you may give us permission to obtain information from your account with those other services. For example, if you're using the site on your mobile, you may choose to provide us with location data. The information we obtain from those services does depend on your settings for that service or their privacy policies. So you should always regularly check what those are.

The JCB Livelink system fitted to JCB Products is telematics software which records and then provides the location of the JCB Product and critical machine alerts, diagnostic data, maintenance records and service history, fuel consumption, duty cycles, immobiliser code recording (if requested by you) and other information about the functioning of your JCB Product.

The JCB Livelink system is active on JCB Products as they leave the factory. Even if you do not access or use the JCB Livelink system service through the website then the JCB Livelink system continues to be active and it will continue to collect JCB Product data and which may be used by the JCB Group and its dealers in accordance with this privacy policy. If you do not want the JCB Livelink system to continue to be active and such data used in this way on a particular JCB Product please contact [livelinkteam@jcb.com](mailto:livelinkteam@jcb.com) in the first instance.

## **COOKIES**

We may obtain information about your general internet usage by using a cookie file which is stored on the hard drive of your computer. Cookies are small data text files contain information that is transferred to your computer's hard drive. They help us to improve the Site and to deliver a better and more personalised service. They enable us:

- To estimate our audience size and usage pattern.
- To store information about your preferences, and so allow us to customise the Site according to your individual interests.
- To speed up your searches.
- To recognise you when you return to the Site.

You may refuse to accept cookies by activating the setting on your browser which allows you to refuse the setting of cookies. However, if you select this setting you may be unable to access certain parts of the Site. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you log on to the Site. A cookie cannot retrieve any other data from your hard drive, pass on a computer virus, or capture your e-mail address. We do not use cookies to store any Personally Identifiable Information.

## **HOW DO WE RECEIVE PERSONAL INFORMATION ABOUT YOU?**

JCB receives this personal information about you:

- When you contact us directly through [livelinkteam@jcb.com](mailto:livelinkteam@jcb.com) or by phone to our enquiry line or when you visit the JCB Livelink system website ([www.jcbl.com](http://www.jcbl.com)) to subscribe to JCB Livelink or otherwise use the features of the JCB Livelink system service through the website
- From the JCB Dealer from whom you purchased the JCB Product who may set up the JCB Livelink system website account in relation to your JCB Product for you on your behalf and which JCB Dealer will also use the JCB Livelink system to monitor and manage your JCB Product health and efficiency, to communicate with you to discuss requirements for repairs and maintenance of your JCB Products and to fulfil any support agreements you may have with the JCB Dealer
- From JCB Finance Partners where such JCB Finance Partner has provided you with finance in relation to a particular JCB Product and maintains ownership of or security over a JCB Product to verify their right to receive the JCB Product data.

#### **HOW DO WE USE PERSONAL INFORMATION ABOUT YOU?**

JCB use the personal information about you that you give us:

- to set up and manage your JCB Livelink website account
- to provide you and your authorised users with the JCB Livelink telemetry services
- to communicate with you by email and/or text service about your JCB Products in line with your preferences for such communications set up in your JCB Livelink account
- to communicate with you regarding your JCB Livelink account
- to contact you to answer your technical queries or general enquiries regarding JCB Livelink
- to identify who you are when you contact us
- to contact you for feedback regarding JCB Livelink
- to notify you about changes to JCB Livelink
- to improve JCB Livelink
- to improve JCB Products or services and to understand JCB Product performance
- in the adjudication of warranty claims (to review service history or machine operation details or JCB Product health alerts where the same may have had a bearing on the issue the subject of the warranty claim)
- to send you marketing information about JCB products which we think you may be interested in unless you have opted out

#### **HOW WILL WE CONTACT YOU?**

JCB (and its third party telematics service provider), JCB Dealers and JCB Finance Partners may, depending on the reason for correspondence, contact you by telephone, email and/or text message.

JCB will only contact you with marketing communications by telephone, email and/or text message, where you have confirmed you are wish to receive the same.

#### **WHO DO WE PROVIDE THIS PERSONAL INFORMATION TO?**

The personal information and/or other JCB Product information is provided to:

- JCB and the JCB group and the relevant JCB Dealer to provide you with service support in relation to your JCB Products

- JCB and the JCB group to understand JCB Product performance to help with JCB Product development and performance
- our service providers who perform services on our behalf, such as the telematics service provider who manages the JCB Livelink system and website and its performance, our customer survey providers who we use to obtain feedback from customers on our behalf and our marketing fulfilment agencies for any marketing
- the relevant JCB Finance Partner if they maintain ownership of or security over the JCB Product for the purposes of fraud protection and credit risk reduction and to enable them to enforce their legal rights over the JCB Products.

#### **WHERE WE STORE YOUR INFORMATION**

All personal information we have about you is stored on secure servers operated by JCB or its third party telematics service providers. We have put or ensure that there are in place appropriate security measures and policies to prevent your personal data from being accidentally lost, used or accessed in an unauthorized 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. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

Where information has been passed to our third party service providers it will be stored on their secure servers. These third party service providers have access to your personal information needed to perform their functions, but may not use it for other purposes. JCB ensures that these third party service providers will only process your personal data in accordance with this policy and applicable Data Protection legislation.

Where you are provided with a password which enables you to access certain parts of our site, you are responsible for keeping this password confidential.

#### **DATA TRANSFERS**

Your personal information may be transferred to JCB offices operating in countries outside the European Economic Area (EEA) or may be processed by JCB's third party service providers based or operating outside the EEA. JCB will use appropriate safeguards to ensure that your personal data is treated securely and in accordance the Data Protection legislation in connection to such transfers or processing of your personal data outside the EEA.

#### **DATA RETENTION**

Your personal information will be held in the JCB Livelink system and, where we have corresponded with you via email will be held within our relevant IT systems, for an indefinite period for us to manage our relationship with you and to improve the site and its content. JCB will carry out periodic data cleanses of this information to ensure that it is up to date and accurate and to remove any obsolete data.

#### **YOUR RIGHTS**

You have the following rights in connection with your personal information processed by JCB:

- **ACCESS** – you can request access to your personal information and further details about how your personal information is handled by JCB
- **OBJECT** – you have the right to object to our processing of your personal information for direct marketing purposes or where the processing isn't necessary for the purposes of the provision to you of the JCB Livelink system and associated services you require or legitimate interests pursued by JCB or by a third party
- **RECTIFICATION** – you can request rectification of any incorrect personal data held about you. You may change any of your personal information in your JCB Livelink account at any time and we encourage you to promptly update your information if it changes.
- **ERASURE** – you can request erasure of any personal data where the processing isn't necessary for the purposes of the provision to you of the JCB Livelink system and associated services you require or legitimate interests pursued by JCB or by a third party

You have the right at any time to withdraw consent to receiving marketing from JCB and/or to amend the delivery method we use. To manage your rights and delivery preferences please follow the instructions in our marketing communications, enquiry forms or write to us at:

Post: JCB Livelink, Waterloo Park, Beamhurst, Uttoxeter, Staffordshire ST14 5PA

Email: [livelinkteam@jcb.com](mailto:livelinkteam@jcb.com).

You can exercise any of these rights at any time by contacting us using the contact details provided below.

Please note when you seek to enforce any of your rights, we may need to request specific information from you to help us confirm your identity as a security measure. We may also contact you to ask you for further information in relation to your request to speed up our response.

If you are concerned or have questions about how JCB handles your personal data please contact us and we will do our best to assist you.

Please note that you have the right to lodge a complaint with the UK Information Commissioner's Office (or any other appropriate supervisory authority), which may be accessed through the following link <https://ico.org.uk/concerns/>.

#### **CHANGES TO OUR PRIVACY POLICY**

JCB reserve the right to revise this privacy policy or any part of it from time to time. Please check back frequently to see any updates or changes to our privacy policy.

#### **CONTACT DETAILS**

Questions, comments and requests regarding this privacy policy should be addressed to JCB Livelink, JCB Service, Waterloo Park, Beamhurst, Uttoxeter, Staffordshire ST14 5PA **OR** [livelinkteam@jcb.com](mailto:livelinkteam@jcb.com).