



## Privacy Policy

At Scotland Overland we respect your right to privacy. This Privacy Policy sets out details of the information that we may collect from you and how we may use that information. This Privacy Policy should be read alongside, and in addition to, our Terms and Conditions. Please read this Privacy Policy carefully.

Unless otherwise defined in this Privacy Policy, terms used have the same meaning as in our Terms and Conditions.

### **1 About Us**

1.1 In this Privacy Policy, references to “we” or “us” are to S. Overland Limited, a company incorporated in Scotland (registered number 535886) trading under the name “**Scotland Overland**” whose registered office is at Heron Neuk, 2 Soonhope Holdings, Peebles EH45 8BH, who will be the controller of any personal data processed as described in this Privacy Policy.

1.2 If you have any questions about your personal information, please contact us by email at [info@scotlandoverland.com](mailto:info@scotlandoverland.com) or by telephone on 0044 (0)1721 729 848.

### **2 Collection of Information**

2.1 When you access our website ([www.scotlandoverland.com](http://www.scotlandoverland.com)) (the “Website”) via any means, make an enquiry regarding our services, or make a booking in respect of our services we may collect, store and use certain of your personal information in line with this policy.

- 2.2 To make an enquiry via our Website, we ask for your name, address, email address and contact telephone numbers. If you contact us via email, we may also keep a record of that correspondence. This information is necessary to enable us to respond to your enquiry.
- 2.3 To make a booking, we ask for the information referred to in clause 2.2 above, and also your: date of birth; nationality; occupation; the nationality of your driving licence; your driving licence number; details of any current endorsements or penalties on your driving licence; details of when you first obtained your driving licence; details of whether you have ever been disqualified from driving and/or had insurance refused; details of any accidents you may have had in a vehicle in the preceding 3 years; and whether you have been declared medically unfit to drive. This information is necessary in order for us to establish if you meet the terms of our fleet insurance policy and can be insured to drive the Vehicles.
- 2.4 We may also collect data relating to your visits to the Website that cannot identify you but records your use of our Website, for example, details of how long you have used the Website for. This information allows us to identify ways in which the Website can be improved.
- 2.5 Finally, we may receive information about you from third parties (such as the DVLA) who are legally entitled to disclose that information.

### **3 Use of Your Information**

- 3.1 By accessing the Website via any means, you agree that your personal information may be collected, stored, used and shared by us and our partners, or third parties we work with such as our insurers or payment service providers, for any of the following purposes:
- (a) to establish if you satisfy the terms of our insurance and hence can be authorised to drive one of our Vehicles, this may involve sharing your personal information with our insurers;
- (b) to provide, maintain, protect and improve the quality of the Website including by conducting anonymised market research, and to protect us and our users;
- (c) to fulfil any contractual agreements between you and us;
- (d) to send you details of our other products and services which we think may interest you, unless you opt out as described at paragraph 3.2 below;

(e) to tailor our advertising on social media to your use of the Website;

(f) to establish a valid contract with you and to process payments due under that contract;

(g) to comply with legal and regulatory requirements such as any police investigations which may take place following an accident in one of our Vehicles;

(h) to contact you occasionally in order to invite you to share your opinions and experiences of Scotland Overland.

3.2 We may use your email address to send you information about our services. If you do not wish to receive such information please send a message to this effect to [info@scotlandoverland.com](mailto:info@scotlandoverland.com) or telephone us on 0044 (0)1721 729 848.

#### 4 **Storage of Information**

4.1 All personal information provided by you and documents which we have created using the personal information you have provided (such as a Booking Confirmation Form) is stored on our secure servers. We will also retain hard copies of documents which contain your personal information at our secure office premises.

4.2 In addition, we (or third parties acting on our behalf) may also store or process information that we collect about you in countries outside the European Economic Area, which may have lower standards of data protection. Specifically, servers used by our Website are located in England and our third party service providers operate around the world. We have put in place technical and organisational security measures to prevent the loss or unauthorised access of your personal information. However, whilst we have used our best efforts to ensure the security of your data, please be aware that we cannot guarantee the security of information transmitted over the Internet.

#### 5 **Legal Basis for Processing Your Information**

5.1 Our legal basis for collecting and using the personal information described above will depend on the personal information concerned and the specific context in which we collect it.

5.2 However, we will normally collect personal information from you only

(a) where we have your consent to do so;

(b) where we need the personal information to perform a contract with you; or

(c) where the processing is in our legitimate interests and not overridden by your rights. In some cases, we may also have a legal obligation to collect personal information from you.

5.3 If we ask you to provide personal information to comply with a legal requirement or to perform a contract with you, we will make this clear at the relevant time and advise you whether the provision of your personal information is mandatory or not (as well as the possible consequences if you do not provide your information).

5.4 Similarly, if we collect and use your personal information in reliance on our legitimate interests (or those of any third party), we will make clear to you at the relevant time what those legitimate interests are.

## 6 **Disclosure of Your Information**

6.1 We may disclose your personal information to third parties when required or permitted by law including:

(a) with your consent;

(b) to our insurers, the police or such other bodies as may be legally entitled to demand the disclosure of any personal information we may hold about you pursuant to legislation in force at the relevant time;

(c) to our file storage, email and website management services providers and our payment services provider (as discussed at paragraph 3.1 above) when we process your payment(s). These suppliers' use of your personal data may be subject to their own privacy policies, which are available on their websites, and which we suggest you familiarise yourself with in the relevant circumstances set out above;

(d) if we sell or buy any business or assets, in which case we may disclose your information to the prospective seller or buyer of such business or assets, provided that they continue to use your information substantially in accordance with the terms of this Privacy Policy;

(e) if all, or substantially all of our assets, are acquired by a third party provided that they continue to use your information substantially in accordance with the terms of this Privacy Policy, in which case information held by us will be one of the transferred assets;

(f) if we are under a duty to disclose or share your information in order to comply with any legal obligation, or in order to enforce or apply our Terms and Conditions and other agreements; or to protect our rights, property, or safety, our users, or others. This includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction.

## **7 Data Retention**

7.1 We retain personal information we collect from you where we have an ongoing legitimate business need to do so (for example, to provide you with a service you have requested or to comply with applicable legal, tax or accounting requirements).

7.2 When we have no ongoing legitimate business need to process your personal information, we will either delete or anonymise it or, if this is not possible (for example, because your personal information has been stored in backup archives), then we will securely store your personal information and isolate it from any further processing until deletion is possible.

## **8 Your Rights**

8.1 You have the following data protection rights:

(a) you can edit your personal details whenever you wish, you can exercise these rights by contacting us using the contact details provided under the “Contacting Scotland Overland” heading below;

(b) you can object to processing of your personal information, ask us to restrict processing of your personal information or request portability of your personal information. Again, you can exercise these rights by contacting us using the contact details provided under the “Contacting Scotland Overland” heading below;

(c) you may unsubscribe from certain email communications by informing us using the contact details provided under the “Contacting Scotland Overland” heading below;

(d) If we have collected and process your personal information on the basis of your consent, then you can withdraw your consent at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect processing of your personal information conducted in reliance on lawful processing grounds other than consent;

(e) If you have any privacy-related questions or unresolved problems, you may contact us using the information provided under the “Contacting Scotland Overland” heading below.

8.2 You have the right to complain to a data protection authority about our collection and use of your personal information. For more information, please contact your local data protection authority. (Contact details for data protection authorities in the European Economic Area, Switzerland and certain non-European countries (including the US and Canada) are available [here](#).)

8.3 The Website may, from time to time, contain links to and from the websites of third parties. If you follow a link to any of these websites, please note that these websites have their own privacy policies. Please check these policies before you submit any personal information to these websites.

## **9 Children**

9.1 We strongly believe in protecting the privacy of children. In line with this belief, we do not knowingly collect or maintain personal information from persons under 13 years of age, and no part of the Website is directed to persons under 13 years of age. If you are under 13 years of age, then please do not use or access the Website at any time or in any manner. We will take appropriate steps to delete any personal information of persons less than 13 years of age.

## **10 Cookies**

10.1 The Website may use cookies. Cookies are small files stored on your computer’s hard drive which are used to collect your personal information. You may choose to refuse cookies but, if you do so, some of the functionality of the Website may no longer be available to you.

## 11 **Updating this Privacy Policy**

- 11.1 We may update or amend this Privacy Policy from time to time, to comply with law or to meet our changing business requirements. When we update our Privacy Notice, we will take appropriate measures to inform you, consistent with the significance of the changes we make. Any updates or amendments will be posted on the Website. By continuing to access the Website, your access and use will be subject to these updates and amendments.

## 12 **Contacting Scotland Overland**

- 12.1 If you have any questions, comments or complaints about this Privacy Policy, please contact us using the details below:

**S. Overland Limited**

**Data Protection Officer**

**Heron Neuk**

**2 Soonhope Holdings**

**Peebles**

**EH45 8BH**

**Email: [info@scotlandoverland.com](mailto:info@scotlandoverland.com)**

**Tel: 0044 (0)1721 729 848**