

Introduction

Welcome to A1 Comms Limited's privacy notice.

A1 Comms Limited respects your privacy and is committed to protecting your personal data. This privacy notice will inform you as to how we look after your personal data when you visit our website www.phones.co.uk (regardless of where you visit it from) and tell you about your privacy rights and how the law protects you.

Please also use the Glossary at the end of this privacy notice to understand the meaning of some of the terms used in this notice.

1 Important information and who we are

Purpose of this privacy notice

This privacy notice aims to give you information on how A1 Comms collects and processes your personal data through your use of this website, including any data you may provide through this website when you sign up to our newsletter, purchase a product or service (such as a phone, contract phone, sim and/or insurance) or take part in a competition. This notice also applies even if you are not one of our customers and you interact with us. For example by:

- a) Using one of our products or services – paid for by someone else
- b) Taking part in a survey
- c) Entering a prize promotion
- d) Calling our helpdesk
- e) Generally enquiring about our products and/or services

This website is not intended for children and we do not knowingly collect data relating to children.

It is important that you read this privacy notice together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy notice supplements the other notices and is not intended to override them.

Controller

A1 Comms Limited is the controller and responsible for your personal data (collectively referred to as "A1 Comms", "we", "us" or "our" in this privacy notice).

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

Contact details

Our full details are:

Full name of legal entity: A1 Comms Limited, registered in England and Wales with company number 04455131.

Privacy Team

Email address: privacy-team@a1comms.com

Postal address: Privacy Team, Contract House, Turnpike Business Park, Alfreton, Derbyshire, DE55 7AD

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.

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, by contacting us at care@phones.co.uk

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 notice of every website you visit.

2 The data we collect about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together follows:

- (a) Identity Data includes first name, last name, username or similar identifier, occupation, marital status, title, date of birth and gender.
- (b) Contact Data includes billing address, delivery address, email address and telephone numbers.
- (c) Financial Data includes bank account and payment card details.
- (d) Transaction Data includes details about payments to and from you and other details of products and services you have purchased from us.
- (e) Technical Data includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access this website.
- (f) Profile Data includes your username and password, purchases or orders made by you, your interests, preferences, feedback and survey responses.
- (g) Usage Data includes information about how you use our website, products and services.
- (h) Marketing and Communications Data includes your preferences in receiving marketing from us and our third parties and your communication preferences.

We also collect, use and share Aggregated Data such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does not directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate

the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy notice.

We do not intentionally collect any Special Categories of Personal Data about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data). Nor do we collect any information about criminal convictions and offences. However, we may obtain this data if we ask you to send us some photographic identification (such as your passport or driving licence).

If you fail to provide personal data

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.

3 How is your personal data collected?

We use different methods to collect data from and about you including through:

- **Direct interactions.** You may give us your Identity, Contact and Financial Data by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:
 - apply for our products or services;
 - create an account on our website;
 - subscribe to our service or publications;
 - request marketing to be sent to you;
 - enter a competition, promotion or survey; or
 - give us some feedback.
- **Automated technologies or interactions.** As you interact with our website, we may automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies.
- **Third parties or publicly available sources.** We may receive personal data about you from various third parties and public sources as set out below:
 - Technical Data from the following parties:
 - (a) analytics providers such as Google based outside the EU;
 - (b) advertising networks such as AWIN Ltd. and Webgains Ltd. based inside the EU; and Google and Facebook based outside the EU.
 - (c) search information providers such as Google and Microsoft based outside the EU.

- Contact, Financial and Transaction Data from providers of technical, payment and delivery services such as EE Ltd. based inside the EU.
- Identity and Contact Data from data brokers or aggregators such as Experian PLC based inside the EU.
- Identity and Contact Data from publicly available sources such as Companies House and the Electoral Register based inside the EU.

4 **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.

Generally we do not rely on consent as a legal basis for processing your personal data other than in relation to sending third party direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by contacting us.

Purposes for which we will use your personal data

We have set out below, 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.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set below.

a) To provide you with products and services

We'll use your personal information to provide you with products and services. This applies when you register for or, buy a product or service from us and/or if you register an online account with us.

This means we will:

- record details about the products and services you use or order from us;
- send you product or service-information messages (we'll send you messages to confirm your order and tell you about any changes that might affect your service);
- update you on when we'll deliver, connect or install your products and services;
- let you create and log in to your online account;
- charge you and make sure your payment reaches us; and
- give information to someone else (if we need to for the product or service you've ordered) or to a network provider if you're buying some services from them and

us (if we do this, we still control your personal information and we have strict controls in place to make sure it's properly protected).

We will use your Identity, Contact, Financial, Transaction, and Marketing and Communications information to provide products and services and to manage your account. We may also use information provided by you through your communications with us. This includes emails, webchats and phone calls. We will also keep records of any settings or communication preferences you choose.

We use the above information to perform our contract with you (or to prepare a contract) and provide products or services to you. This information is necessary for our legitimate interests (to recover any debts due to us). If you don't give us the correct information or ask us to delete it, we might not be able to provide you with the product or service you ordered from us.

b) For our legitimate business interests

We will use your personal information if we consider it is in our legitimate business interests to operate as an efficient and effective business. In such circumstances, we will use your information to:

- identify, and let you know about, products and services that interest you;
- share your information with our group of companies for administrative purposes;
- create aggregated and anonymised information for further use;
- detect and prevent fraud; and
- secure and protect our business.

c) To market to you, make suggestions and recommendations about other products or services

We will use your personal information to send you direct marketing and to better identify products and services that interest you. We do that if you're one of our customers or if you have been in touch with us in another way (such as entering a prize promotion or competition).

Your preference for receiving email and SMS communications is collected during the checkout process via the use of pre-ticked checkboxes known as a soft opt-in permitted in the course of a sale or negotiations for a sale by the 'Privacy and Electronic Communications Regulations 2003'.

This means we will:

- create a profile about you to give us a good understanding of you as a customer and tailor the communications we send to you (including our marketing messages);
- tell you about other products and services we feel you might be interested in; and

We will use your Identity, Contact, Technical, Usage, and Profile information to market to you and to identify the products and services that you're interested in. We will also use information from other organisations such as aggregated demographic data (as explained in section 2 above), data brokers, our partners and publicly available sources like the electoral roll and business directories.

We will send you information about the products and services we provide by phone, post, email, text message and/or online banner advertising. We also use the information we have about you to personalise these messages wherever we can as we believe it is important to make them relevant to you. We do this because we have a legitimate business interest in keeping you up to date with our products and services, making them relevant to you and making sure you manage your spending with us. We also check that you are happy for us to send you marketing messages by text or email before we do so. In each message we send, you also have the option to opt out.

We will only market other organisations' products and services if you have agreed for us to do this.

You can ask us to stop sending you marketing information or withdraw your permission at any time (please see the section titled "Opting out" below).

d) To use data analytics to improve our website, products, services, marketing, customers relationships and experiences and to create aggregated and anonymised data

We will use your personal information to create aggregated and anonymised information. Nobody can identify you from that information and we will use it to:

- continuously improve and develop our network and products and services for our customers;
- run management and corporate reporting, research and analytics, and to improve our business; and
- provide other organisations with aggregated and anonymous reports.

We use your Identity, Contact, Profile, Usage, and Technical data to create aggregated and anonymised information. We will also use information from other organisations who provide aggregated demographic information, data brokers, our partners and publicly available sources like the electoral roll and business directories

We use the above information for our legitimate interests (to develop our products/services and to grow our business) and to study how customers use our products/services. We also use it to define types of customers for our products and services, to keep our website updated and relevant and for our marketing strategy.

e) To develop our business and to build a better understanding of what our customers wants

This means we will:

- maintain, develop and test our network (including managing the traffic on our network), products and services, to provide you with a better service
- train our staff and suppliers to provide you with products and services (but we make the information anonymous beforehand wherever possible)
- create a profile about you to better understand you as our customer; and
- run surveys and market research about our products.

We will use your Identity, Contact, Financial, Technical, Profile, and Usage information to do this. We will also use information that you provide us through your

communications with us, including emails, webchats and phone calls (and any recordings that we make).

If we use the above information for market research, training, testing, development purposes or to create a profile about you, we do so because it is in our legitimate business interests of running an efficient and effective business which can adapt to meet our customers' needs.

We create a profile about you based on what you have ordered from us and how you use our products and services. This helps us tailor the offers we share with you. You can ask us to stop profiling you for marketing purposes at any time, as set out below.

f) Credit and fraud prevention checks

Before we provide you with a product or service (including an upgrade or renewal), or sometimes when you use our products and services, we will use personal information you have given us together with information we have collected from credit reference agencies, or fraud prevention agencies. We use this information to manage our credit risk, and prevent and detect fraud and money laundering. We will also use these organisations to confirm your identity. When they get a search from us, a 'footprint' goes on your file which other organisations might see. We might also share the information with other organisations (such as network and insurance providers). We do this because it's in our, and the organisations', legitimate interests to prevent fraud and money laundering, and to check identities, to protect our business and to keep to laws that apply to us

Details of the personal information that will be used includes your Identity, Contact, and Financial Information.

If you do not become one of our customers (for whatever reason), we will still keep the result of our credits checks about you if we have a legal obligation and it's in our legitimate interests to help prevent or detect fraud. Fraud prevention agencies can hold your personal information for different periods of time, and if you are considered to pose a fraud or money laundering risk, your information can be held by us and the organisations we share it with for up to six years.

If you give us false or inaccurate information which we identify as fraudulent, we will pass that on to fraud prevention agencies. We might also share it with law enforcement agencies (and the agencies we share the data with may also do this).

If you tell us you are associated with someone else financially (for example, by marriage or civil partnership), we will link your records together. So you must make sure you have their agreement to share information about them. The agencies we share the information with also link your records together and these links will stay on your and their files – unless you or your partner successfully asks the agency to break that link.

If we, a credit reference or fraud prevention agency, decide that you are a credit, fraud or money laundering risk, we may refuse to provide the services or financing you have asked for, or we may stop providing existing services to you.

The credit reference and fraud prevention agencies will keep a record of any fraud or money laundering risk and this may result in other organisations refusing to provide services, financing or employment to you. If you have any questions about this, please get in touch with us on privacy-team@a1comms.com

There are different credit reference agencies in the UK (for example, Equifax and Experian). Each one might hold different information about you. If you want to find out what information they hold about you, you should get in touch with them. Please note they may charge you a fee for providing that information to you.

Whenever credit reference and fraud prevention agencies transfer your personal information outside of the European Economic Area, they place contractual responsibilities on the organisation receiving it to protect your information to the standard required in the European Economic Area. They may also make the organisation receiving the information subscribe to 'international frameworks' aimed at sharing information securely.

g) To collect and recover money owed to us

If you don't pay invoices associated with any product, service or agreement purchased through us on time, we might ask a debt recovery agency to collect money that you owe to us.

We will give them information about you (such as your Identity, Contact, Financial details, and Transaction details) and we may choose to sell the debt to another organisation to allow us to receive the amount due.

We do the above as it is necessary for the performance of our contract with you and it is necessary for our legitimate business interests (to recover debt due to us).

h) To prevent and detect crime

We will use your personal information to help prevent and detect crime and fraud. Your network provider may also use this information to prevent and detect criminal attacks on its network or against your equipment (i.e. your mobile phone or SIM card). Your network provider may also monitor traffic over its network, trace nuisance or malicious calls, and track malware and cyber-attacks.

To do the above, we use your Identity, Contact, Financial, Technical, Usage, and Profile data.

We use your personal information because we have a legitimate interest in protecting our business from attacks and to prevent and detect crime and fraud. We will also share it with other organisations (such as network providers and banks) who have the same legitimate interests. Doing this helps make sure our network works properly and helps protect you from attacks.

If you call the emergency services, your network provider may give them information about you and where you are so they can help.

Promotional offers from us

We may use your Identity, Contact, Technical, Usage, and Profile 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 products, services and offers may be relevant for you (we call this marketing).

You will receive marketing communications from us if you have requested information from us or purchased goods or services from us or if you provided us with your details when you entered a competition or registered for a promotion and, in each case, you have not opted out of receiving that marketing.

Third-party marketing

We will get your express opt-in consent before we share your personal data with any company outside our group of companies for marketing purposes.

Opting out

You can ask us or third parties 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 at any time.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of a product/service purchase, product/service experience or other transactions.

Change of purpose

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. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

5 Disclosures of your personal data

We may have to share your personal data with the parties set out below for the purposes set out in paragraph 4 above.

- External Third Parties as set out in the Glossary.
- 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 notice.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. 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.

We use other providers to carry out services on our behalf or to help us provide services to you.

We also use them to:

- process payment transactions;
- carry out fraud and credit checks and collect debts;
- analyse and improve the information we hold (including about your interactions with our service);
- run surveys;
- provide you with insurance (where you request this); and

- provide you with credit (where you request this).

6 **Purchasing third-party data**

We may purchase and process 3rd party data from GDPR compliant sources which use either 'consent' or 'legitimate interests' as the legal basis for processing.

We do this with a view to making marketing calls which will offer up to date mobile phone, broadband and digital TV offers.

We will carry out adequate due diligence to ensure that your data has been collected and processed fairly.

The personal data processed will include a full name and address, a date of birth and a mobile phone number.

We will screen the data for TPS registrations and our internal 'do not call' lists.

Other processing may include validating your mobile number to confirm it is 'live' and its network identity and checking your upgrade eligibility/ new connection status with your mobile phone network provider.

All personal data transfers between A1 Comms and third parties will be done securely using password protected files over secure file transfer protocols (SFTP)

We are committed to the security of your data and to respecting your privacy rights which include opting out of marketing any at time by contacting A1 Comms.

If you do not become a customer of A1 Comms, we will delete your data securely after 90 days.

7 **International transfers**

Some of our external third parties are based outside the European Economic Area (EEA) so their processing of your personal data will involve a transfer of data outside the EEA.

Whenever we transfer your personal data out 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:

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission. For further details, see European Commission: Adequacy of the protection of personal data in non-EU countries.
- Where we use certain service providers, we may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe. For further details, see European Commission: Model contracts for the transfer of personal data to third countries.
- Where we use providers based in the US, we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to personal data shared between the Europe and the US. For further details, see European Commission: EU-US Privacy Shield.

Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the EEA.

8 **Data security**

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised 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.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

9 **Data retention**

How long will you use my personal data for?

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.

By law we have to keep basic information about our customers (including Contact, Identity, Financial, and Transaction Data) for six years after they cease being customers for tax purposes.

In some circumstances you can ask us to delete your data: see below for further information.

In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

10 **Your legal rights**

Under certain circumstances, you have rights under data protection laws in relation to your personal data. These rights are set out in further detail below.

If you wish to exercise any of these rights, please contact us on privacy-team@a1comms.com.

No fee usually required

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.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

Time limit to respond

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

11

Glossary

LAWFUL BASIS

Legitimate Interest means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

Performance of Contract means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

Comply with a legal or regulatory obligation means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.

THIRD PARTIES

External Third Parties

- Network providers such as EE, O2, Three and Vodafone who provide mobile connectivity and billing services.
- Finance Providers such as Klarna, Omni Capital, Amigo Loans and Close Brothers who provide consumer credit services.
- Service providers who provide IT and system administration services such as Google and Experian.
- Professional advisers acting as processors or joint controllers including lawyers, bankers, auditors and insurers who provide consultancy, banking, legal, insurance and accounting services.
- HM Revenue & Customs, regulators and other authorities acting as processors or joint controllers based who require reporting of processing activities in certain circumstances.
- Insurance administrators and underwriters such as Citymain and Amtrust who provide mobile phone insurance services (where you order this from us when purchasing a mobile phone).
- Recycling and Trade-in partners such as Mazuma Mobile and E-Giant who provide valuation and second-hand phone purchasing services.
- Technical support service providers such as TMTI, who provide technical support services (where you order this from us when purchasing a mobile phone or Sim)

Our technical support service provider can be contacted on www.gadgethelpline.com.

YOUR LEGAL RIGHTS

You have the right to:

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, though we may need to verify the accuracy of the new data you provide to us.

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), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

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. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

Request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

Withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.