

Privacy Policy

Mobile Phones Direct Ltd trading as 'The Smartphone Company'

Version 2 posted and effective as of 21.11.17

Mobile Phones Direct (“we”, “us”, or “our”) operates this website <http://www.smartphonecompany.co.uk> (“our site”) and is committed to protecting and respecting your privacy and complying with applicable data protection and privacy laws.

This privacy policy (“Policy”) (together with our Terms and Conditions of Sale and Terms of Website Use) set out the basis on which any personal data we collect from you, or that you provide to us, will be processed by us. Please read the following carefully to understand our views and practices regarding your personal data and how we will treat it.

This Policy applies to personal data collected in connection with products and services offered by or from other interactions with us where a link or other reference of incorporation to this Policy is made, for example, in connection with mobile devices and accessories, websites (also including mobile websites), games, music and other types of services offered by us typically in electronic form, as well as other services such as customer care and warranty services or promotions and campaigns.

Certain products and services collect and use personal data in accordance with their own privacy policies. Such policies prevail over this Policy to the extent of any conflict.

Our site, products or services may, from time to time, contain links to and from the websites of other companies’, our partner networks, advisers and affiliates. If you follow a link to or from any of these websites, please note that these websites have their own privacy policies and that we do not accept any responsibility or liability for these policies. Please check these policies before you submit any personal data to these websites. We are not responsible for the privacy practices or contents of any such websites.

For the purpose of the Data Protection Act 1998 (the “Act”) the data controller is Mobile Phones Direct of The Courtyard Business Centre, Farmhouse Mews, Thatcham, Newbury, RG18 4NW.

By using this website and/or by submitting personal data to us, you accept and agree to the processing of your personal data in accordance with this Policy. If you do not agree with this Policy, please do not use this website or provide us with your personal data.

Information we may collect from you

We may collect and process the following data about you:

- Information that you provide by filling in forms on our site. This includes information provided when you register to use our site, subscribe to our services, enter into a sales promotion or a campaign, post material or request further services, report a problem with our site or otherwise contact us.
- If you contact us, we may keep a record of that correspondence.
- We may also ask you to complete surveys that we use for research purposes, although you do not have to respond to them.
- Details of transactions you carry out through our site and of the fulfilment of your orders.

Below are examples of the categories of data collected:

- **Technical Information:** You may visit and browse our site without telling us who you are. However, certain technical information is normally collected as a standard part of your use (such as your IP-address, access times, the website you linked from, pages you visit, the links you use, the ad banners and other content you viewed, information about your devices and other technical information your browser provides us with or as may be otherwise collected in connection with certain products and services). When you use our products or services or contact us, certain additional information, such as your mobile telephone subscription number, may be transmitted to us as a standard part of that communication. Please also see the section “Use of Cookies and Web Beacons” below.
- **Information you provide us with:** When you register for our services, make a purchase, enter a sales promotion or otherwise contact us, we may ask you to provide us with information such as your name, email address, street address, previous address’s, bank details, as well as user names, passwords and other such credentials that are used to authenticate users and to validate their actions or that may be needed to provide you with the products and services you have requested or to communicate with you.
- **We may collect demographic information:** For example, your age, gender, postal code and language preferences. We may also collect other information you provide, such as your consents, preferences and feedback, information relating to your devices and other such information you provide us with. Please note that certain non-identifiable information collected from you may become personally identifiable when you provide us with your personal data. We may also obtain, in accordance with applicable law, some personal data from list-rental companies and other such publicly available sources. Some of our services may allow you to submit information about other people, for example, if you make an order for a product that you wish us to send directly to another recipient.
- **Your transactions with us:** We collect or ask for information relating to your purchase and/or use of our products and/or services and your other communications with us. Such information may include, for example, details of the queries or requests you have made, the products and services provided (including delivery details), financial details (including payments made, credit card details, billing address, credit checks and other such financial information), details of agreements between you and us, records of contacts and communications, information and details relating to the content you have provided us with and other such transactional information. We may, in accordance with applicable law, record your communication with our customer care or with other such contact points. Certain services may involve the use of your location data. However, use of your location data for such services is subject to your consent.

IP addresses

We may collect information about your computer, including where available your Internet protocol (IP) address, operating system and browser type, for system administration and to report aggregate information to our advertisers. This is statistical data about our users' browsing actions and patterns, and does not identify any individual.

Use of cookies and web beacons

When you visit our site, information is placed on your computer to allow us to recognise your computer. This information is commonly in the form of a text file known as a "cookie". Cookies are small pieces of data stored on your computer's hard drive, rather than on the website. We use cookies:

- that are strictly necessary to enable you to move around our site or to provide certain basic features. We use cookies to enhance the functionality of our site by storing your preferences, for example. We also use cookies to help us to improve the performance of our site to provide you with a better user experience;
- for website traffic analysis and anonymous demographic profiling so that we may improve our services; and
- to enable us to identify your device, or you when you have logged into our site and to collect certain information about your computer, including your IP address, your computer's operating system, your browser type and the address of any referring websites. Our use of cookies is intended to provide benefits to you, such as eliminating the need for you to enter your password frequently during a session or the need to re-enter items you place in a shopping cart if you do not finish a transaction in a single visit.

We may use so-called web beacons (or "pixel tags") in connection with our site. However, we do not use them to identify individual users personally. Web beacons are typically graphic images that are placed on a website and they are used to count visitors to a website and/or to access certain cookies. This information is used to improve our services. Web beacons do not typically collect any other information than the information your browser provides us with as a standard part of any Internet communication. If you turn off cookies, the web beacon will no longer be able to track your specific activity. The web beacon may, however, continue to collect information of visits from your IP-address, but such information will no longer be unique.

If you do not wish to receive cookies, or want to be notified before they are placed, you may set your web browser to do so, if your browser so permits. Please understand that if cookies are turned off, you may not be able to view certain parts of this site that may enhance your visit. Some of our business partners whose content is linked to or from this site may also use cookies or web beacons. However, we have no access to or control over these cookies.

Storage of your personal data;

Data Quality

We take steps to keep the personal data we possess accurate and up-to-date and to delete out of date or otherwise incorrect or unnecessary personal data.

As certain products and services may allow you to manage your profile, we encourage you to access your personal data from time to time to ensure that it is correct and up-to-date. Please remember that it is your responsibility to provide us with correct details as well as to update the personal data you have provided us with in case of any changes.

Security

While there are always risks associated with providing personal data, whether in person, by phone, via the internet or otherwise, and no technology is completely safe or "tamper" or "hacker" proof, we take appropriate technical and organisational information security measures to prevent and minimise such risks.

Such measures include, where appropriate, the use of firewalls, secure server facilities, encryption, implementing proper access rights management systems and processes, careful selection of processors and other technically and commercially reasonable measures to provide appropriate protection for your personal data against unauthorised use or disclosure.

Where appropriate, we may also take back-up copies and use other such means to prevent accidental damage or destruction to your personal data.

If a particular part of our site supports online transactions, all information you provide to us is stored on our secure servers. Any payment transactions will be encrypted using an industry standard security measure, such as the one available through "Secure Sockets Layer" ("SSL"), to protect the confidentiality and security of online transactions. Where we have given you (or where you have chosen) a password which enables you to access certain parts of our site, you are responsible for keeping this password confidential. We ask you not to share a password with anyone.

The data that we collect from you may be transferred to, and stored at, a destination outside the European Economic Area ("EEA"). It may also be processed by staff operating outside the EEA who work for us or for one of our suppliers. Such staff may be engaged in, among other things, the fulfilment of your order, the processing of your payment details and the provision of support services. By submitting your personal data, you agree to this transfer, storing or processing. We will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this Policy.

Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your data transmitted to our site; any transmission is at your own risk. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorised access.

Uses made of the information

We use information held about you in the following ways (Please note that one or more purposes may apply simultaneously):

- to ensure that content from our site is presented in the most effective manner for you and for your computer;
- to fulfil your requests, process your order, for credit status approval and/or to verify your personal data in order to supply network airtime or services, or as may otherwise be necessary to perform or enforce the contract between you and us, to ensure the functionality and security of our products and services, to identify you and to prevent and investigate fraud and other misuses;
- to personalise our offering and to provide you with information, products or services that we feel may interest you, where you have consented to be contacted for such purposes and to display customised content and advertising in our site.
- for marketing or research purposes, for example, to conduct market research and we may, in accordance with applicable law, contact you to inform you of new products, services or promotions we may offer.
- to develop our products and/or services. However, for the most part we only use aggregate and statistical information in the development of our products and services.
- To allow you to participate in interactive features of our service, when you choose to do so.

We may share your personal data if we have your consent to do so.

We may also use your data, or permit selected third parties to use your data, to provide you with information about goods and services which may be of interest to you and we or they may contact you about these by email, telephone or post.

If you are an existing customer, we will only contact you by electronic means (e-mail or SMS) with information about goods and services similar to those which were the subject of a previous sale to you.

If you are a new customer, and where we permit selected third parties to use your data, we (or they) will contact you by electronic means only if you have consented to this.

By agreeing to our terms and conditions at the point of sale you are giving consent for Mobile Phones Direct to use your details for the marketing and research purposes listed above.

If you do not want us to use your data in this way, or to pass your details on to third parties for marketing purposes, you will be given the opportunity to unsubscribe from our marketing list when we contact you for the first time. If you wish to be removed from our mailing list beforehand however, please contact us via webshop@smartphonecompany.co.uk and you will receive confirmation on the removal of your data from all marketing purposes.

Some of our products and services may be used to promote products and services of other companies. We do not disclose information about identifiable individuals to our advertisers or any other company, except to a member of our group (as indicated in the section on sharing your personal data below), for marketing purposes without your prior consent. We may however provide aggregate information about our users (for example, we may inform them that 500 men aged under 30 have clicked on their advertisement on any given day). We may also use such aggregate information to help advertisers reach the kind of audience they want to target (for example, women in SW1). We may make use of the personal data we have collected from you to enable us to comply with our advertisers' wishes by displaying their advertisement to that target audience.

Disclosure of your information

We may disclose your personal information to any member of our group, which means our subsidiaries, our ultimate holding company and its subsidiaries, as defined in section 1159 of the UK Companies Act 2006.

We may disclose your personal information to third parties:

- such as mobile networks or insurance companies who process personal data for us for the purposes described in this Policy. Such parties are not permitted to use your personal data for other purposes unless you agree for them to do so within their separate terms and conditions, and we require them to act consistently with this Policy and to use appropriate security measures to protect your personal data;
- in relation to those of our products and services which are provided using resources and servers located in various countries around the world. Therefore your personal data may be transferred across international borders outside the country where you use our services, including to countries outside the European Economic Area (EEA) that do not have laws providing specific protection for personal data or that have different legal rules on data protection, for example, the United States of America. In such cases we take steps to ensure that there is a legal basis for such a transfer and that adequate protection for your personal data is provided as required by applicable law, for example, by using standard agreements approved by relevant authorities (where necessary) and by requiring the use of other appropriate technical and organisational information security measures;
- if we sell or buy any business or assets, in which case we may disclose your personal data to the prospective seller or buyer of such business or assets;
- if we or substantially all of our assets are acquired by a third party, in which case personal data held by it about its customers will be one of the transferred assets; and
- if we are under a duty to disclose or share your personal data in order to comply with any legal obligation, or in order to enforce or apply our *terms of use or terms and conditions of supply* and other agreements; or to protect the rights, property, or safety of Mobile Phones Direct Ltd, our customers, or others. This includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction.

Your rights

You have the right to ask us not to process your personal data for marketing purposes. We will usually inform you (before collecting your data) if we intend to use your data for such purposes or if we intend to disclose your information to any third party for such purposes. You can exercise your right to prevent such processing by checking certain boxes on the forms we use to collect your data. You can also exercise the right at any time by contacting us through the contact points referred to below.

In some cases, especially if you wish us to cease the processing of your personal data, this may also mean that we may not be able to continue to provide the services to you. We encourage you to use available profile management tools for the above purposes as such tools often provide you with direct access to your personal data and allow you to effectively manage it.

Please note that we may need to identify you and to ask for additional information in order to be able to fulfil your above request. Please also note that applicable law may contain restrictions and other provisions that relate to your above rights.

Contact details

Questions, comments and requests regarding this Policy are welcomed and should be addressed to:

Mobile Phones Direct Ltd
The Courtyard Business Centre
Thatcham, Newbury
Berkshire
RG18 4NW

OR

webshop@smartphonecompany.co.uk.

Access to information

The Act gives you the right to access information held about you. Your right of access can be exercised in accordance with the Act. Any access request may be subject to a fee of £10 to meet our costs in providing you with details of the information we hold about you.

Changes to our privacy policy

We may from time to time change this Policy or change, modify or withdraw access to this site at any time with or without notice. Any changes we may make to this Policy in the future will be posted on this page and, where appropriate, notified to you by e-mail. We will assume you have accepted any such change if you continue to use this site after such changes have been posted and before such period has expired. If you do not accept any such changes, please contact us by using the contact details above and ask us to stop using your personal data. We recommend that you re-visit this Policy from time to time to learn of any such changes to this Policy.