

This page is designed to provide you with information about how we use the personal data and information that you provide to us during your use of the Smartphone Company website and any communication (for example telephone) made between us relating to such use.

AO Mobile Limited is the data controller of the information you provide. AO Mobile Limited (t/a Smartphone Company) is a company registered in England and Wales with registered number 07570386. We are part of the AO World PLC group of companies and our registered office address is 5A Parklands, Lostock, Bolton, BL6 4SD.

We may change our privacy policy from time to time. This policy was last updated on 14<sup>th</sup> February 2020 and is version 1.2.

## **Your Information and why we process it**

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.

We will also collect further information such as your date of birth and bank details and may collect proof of identity for contractual purposes.

Through your product reviews or surveys, you may provide us further personal data including family size, affluence, gender or we may collect such data from third party data aggregators.

We only collect, keep, use or share your information for genuine business purposes, when you've approved us to do so, or when we're obliged to legally. There are a few reasons why we use your personal details:

1. if you contact us with an enquiry either by telephone, email or live chat;
2. to process any order that you place on our website or via telephone call and arrange for its delivery and connection to the network;
3. to ensure affordability prior when taking out a contract including performing credit checks with a credit reference agency;
4. to maintain any registered accounts you have with us;
5. to make our website accessible to you with informative content tailored to your needs including serving you with any pop-up messages and voucher codes;
6. if you have purchased a product from us we may contact you from time to time, by SMS, email or telephone regarding our latest promotional offers, products and services that we think you may be interested in;
7. if a product is out of stock and we need to notify you of the new delivery date or discuss alternative options
8. For credit status approval and/or to verify your personal details order to supply network or airtime services

9. promoting and advertising (including personalisation) of our products and services both on our website and elsewhere on the internet
10. promoting and advertising our products and services to you via email, SMS, post and telephone;
11. if you would like us to notify you when a new product is released, we will contact you by email;
12. to train our employees to ensure that we are providing the best possible service;
13. we record telephone calls for compliance and legal reasons;
14. to get in touch regarding customer satisfaction surveys and market research;
15. when you provide a review on our website;
16. when you enter any of our competitions;
17. matching and aggregating your personal data for analysis and to provide you with a more personalised experience;
18. to analyse any problems with our website and improve its performance;
19. to ensure that you receive any cashback offered (either directly or via an affiliate website such as TopCashback);
20. when you engage with us on any social media platform
21. we also use personal details to contact you regarding our services and products and if we need to verify your identity;
22. for research, analysis, testing, monitoring, risk management and administration purposes; and
23. for crime or fraud prevention purposes
24. if you sign up for a contract we will conduct an anti-money laundering check.

## **Basis For Processing**

For AO.Mobile to be allowed to process your personal data, we must have a legal basis for the processing. The data protection legislation sets out what these bases are. We have described below the different bases that we rely on and provided examples of the processing.

### **Contractual**

There are some contractual reasons why we have to process your personal data. When you buy a product on our website, it creates a contract between you, Smartphone Company and the network. We need to process the personal data that you provide in order to fulfil our part of the contract. If you do not provide your details, we won't be able to complete your order.

### **Legal**

Sometimes we are required to process the personal data that we hold about you for legal reasons - for example, if there is a product recall.

### **Legitimate Interests**

We also rely on being able to process your personal data on the basis that it is in our legitimate interests. When we do this we will always consider your interests and balance any positive or negative impact

relating to such processing and your legal rights relating to data protection. The legitimate interests of ao.com do not automatically override your interests.

If you do not want us to process any of the personal data we have listed as being processed for legitimate purposes, you have the right to object. For more information, see the section below relating to your rights. Please note that if you object we may still continue to process your personal data in certain circumstances. Please also remember that if we can't process your personal data for these purposes your customer experience may not be as enjoyable.

Our legitimate interests include:

- analysing and understanding your customer journey and behaviour to improve efficiencies and interaction
- sending you email or SMS marketing messages, if you have previously bought something from us
- calling you to discuss your delivery and any other services that we would like to offer you
- promoting and advertising our products and services both on our website and elsewhere on the internet
- analysing our website's performance and solving any problems
- staff training
- personalisation of your shopping experience
- for credit approval and/or to verify your personal data in order to supply network airtime or services
- to manage payments, recover debts due to us, to carry our fraud checks, perform any credit checks necessary and to provide secure services to you
- to personalise our offering when delivering relevant website content and information, products and services we feel may interest you and measure or understand the effectiveness of the information we provide to you via the use of cookies and device information

## Consent

In some cases, we will ask whether you would like us to process your personal data. For example, when an item is out of stock and you provide your telephone number for us to call to discuss available alternatives or notify you when the out of stock item becomes available. We also ask for your consent to processing if you enter into a competition or if you request updates on a new product release.

We rely on consent for the purposes of undertaking the checks necessary before entering into a contractual agreement with you.

If you provide us with consent, you may withdraw it at any time by contacting us.

## When We'll Contact You

We may contact you by telephone shortly after your purchase to ensure you are happy with the product and the service you received. We may also offer you other services which relate to the products that you have purchased. If you do not wish to receive these calls, please contact us by phone, email or post.

We may contact you when an item is out of stock and to discuss available alternatives or notify you when the out of stock item becomes available.

We like to be able to keep you up to date with news, offers and promotions, but you can opt out of receiving email and text messages from us at any time. To do this, you can click the unsubscribe box that appears on the order confirmation page when you place an order, click on the "unsubscribe" link on the bottom of any of our unsolicited marketing emails, or contact our contact centre. It may take a couple of days for all of our systems to update, so bear with us whilst we process your request. Please note, if you submit information but there is an error or delay in processing, we may use the details you've submitted to contact you to complete your order.

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.

## When you contact us

If you get in touch by email or live chat to ask a question about your order or our services, we'll keep a record of your emails and our responses. This helps us to resolve any problems, and to answer your query quickly and easily if you need to get in touch again. It also helps us to check our advisors have all the training they need to give you the best possible help. Your telephone calls to Smartphone Company may also be recorded for training and regulatory purposes.

## Information we'll share

We share your information in very limited circumstances set out below:

- where we're obliged to do so (for example a legal request),
- to enter you into a contract with the network provider,
- when we need to work with a third party or core service provider, for example a network provider, delivery service, insight companies, marketing communications providers or IT service providers. Each provider is carefully selected, and we'd only pass on the information required for them to perform that service on our behalf; they cannot use your data for any other purpose e.g. their own marketing purposes;
- information with Transunion who will act as a credit reference agency (CRA). For more information how Transunion use your data please see their privacy policy at <https://www.transunion.co.uk/legal-information/bureau-privacy-notice;>
- with our group companies who may provide us with services;
- for fraud prevention purposes;
- information required for undertaking anti money laundering checks;
- social media platforms or internet platforms (this is based on cookies - for more information see section below about Cookies
- any telephone calls between you and us in respect of Insurance products are shared with our providers for quality assurance and compliance.
- with 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;

- 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;
- with professional advisers acting as processors or joint controllers including lawyers, bankers, auditors and insurers based who provide consultancy, banking, legal, insurance and accounting services;
- with HM Revenue & Customs, regulators and other authorities acting as processors or joint controllers based in the United Kingdom who require reporting of processing activities in certain circumstances; and

We'll never sell your information. We'll always comply with all relevant data protection legislation (including the General Data Protection Regulation).

We sometimes share anonymised information and analytics with third parties but not in a way that they could identify you as an individual.

We use third party payment service providers which are integrated into our website. When you pay using one of these methods e.g. PayPal, you are redirected to the provider's portal. Your use of these services are subject to the terms and conditions (and privacy policies) of the payment providers.

## Transfers to third countries

AO Mobile may transfer your personal data outside of the European Economic Area. This will only be as a result of our service providers being based outside of this area e.g. cloud hosting service providers such as Amazon Web Services or Microsoft Azure. We will always ensure that such providers are in a country that has been assessed to provide adequate protection to personal data by the European Commission, or if the service provider signs a contract with us which contains the relevant protections for you; for example, if a company is based in the United States of America and has signed up to the Privacy Shield we may also send personal data to them for the limited purposes referred to above.

## How long do we keep your information?

We will only keep your personal data for as long as it remains necessary in line with the reason that we collected it from you and to meet any legal requirements (such as resolving a dispute). The time that the personal data is kept for is called the retention period. We retain your personal data relating to the purchase of your products for a period of 10 years after your purchase. This is in line with certain product liability provisions under the Consumer Protection Act 1987.

If you call or message our contact centre with an enquiry (but do not place an order), we will keep your personal data for 12 months.

If you ask us to notify you about a product release, we will keep your information for one month after the release date.

If you receive marketing emails and SMS from us and have not unsubscribed from these messages, we will continue to process your personal data for this purpose for a maximum period of four years. You may ask us to stop processing for this purpose at any time.

## Your Rights

You have a set of legal rights in relation to your personal data. These rights are to ensure that you are in control of how your personal data is used by organisations. We have provided a summary of your rights below:

- You have the right to know what personal data we store that relates to you (also known as a subject access request);
- If any personal data is not correct (for example it is old information), you have the right for it to be corrected;
- You have the right to tell us to stop using your personal data for the purpose of sending you direct marketing;
- You have the right to tell us you no longer consent to any processing, which was based on you giving consent;
- You have the right to ask us to no longer process your information on the basis of our legitimate interests. We will stop processing your personal data unless there is a legitimate reason that does not prejudice you.
- You have the right to ask us to erase your personal data where the personal data is no longer necessary for the purpose for which it is collected. The right to erasure is not an absolute right.
- You have the right to ask for an individual to review any decision made using an automated process.

If you would like to exercise any of your rights, please contact us at [DataProtection@ao.com](mailto:DataProtection@ao.com). If you ask us to no longer send you any marketing (by email or SMS) please allow 48 hours for your request to be processed in our system. You can unsubscribe from email and SMS by clicking on the buttons in the When we'll contact you section above [INSERT LINK]. If you do not wish to receive calls relating to product protection plans, please contact us by phone, email or post. If you ask for us not to call you for marketing purposes, please allow 48 hours for us to action this request.

## Creating an account with Smartphone Company

Creating an account with Smartphone Company gives you the ability to track your order throughout the various processing stages. For fraud prevention purposes you are unable to change some of the information e.g. delivery address, payment details. Additionally, we protect your account by strongly hashing your password using modern ciphers and cryptographic patterns. Our staff have no way of accessing your password. In addition, your card details will never be sent, or stored on our platforms. Instead, your details are managed and protected by a dedicated E-commerce credit card payment management company.

It's important that you also take responsibility for protecting your account information. Make sure your password is suitably complex, don't share it with others, and try not to use the same one for lots of online accounts. Never send your password by email – we'll never ask you to do so. We won't ask you for your password information over the 'phone; but we can advise you on how to reset it.

It's a good idea to reset online passwords occasionally, and you can do so through the My Account area. If

you think anyone has accessed your account information without your approval, contact us to let us know.

## Contacting the Information Commissioner's Office

If you are not happy with the way in which we have dealt with your personal data or your enquiries relating to that personal data, it is your right to make a complaint to the data protection regulator. The regulator is the Information Commissioner's Office. You can find more detail at [www.ico.org.uk](http://www.ico.org.uk).

## Contacting Us

We're always looking for new ways to improve your shopping experience with us, that's why we love hearing from you. If you have any questions about how we use your personal data or if you'd like to amend or stop us from processing your data (for marketing purposes), please contact us. You can get in touch by giving our friendly contact centre a call on 0333 8000 444 or you can write to us at our registered office address - 5A Parklands, Lostock, Bolton, BL6 4SD. We have appointed a Data Protection Officer (DPO). You may contact the DPO by writing to us at the registered office address set out above or by emailing [DataProtection@ao.com](mailto:DataProtection@ao.com)

## Security

Your privacy is important to us which is why we've ensured every part of our site uses secure connections. Look for the green padlock in the address bar and the letters 'https', as these should always be present when browsing our site. We only take orders through web browsers that allow communication through Secure Socket Layer (SSL) technology. There's no way you can order through an unsecured connection. To keep you safe, we gain accreditation from the Payment Card Industry (PCI) every year. This third-party certification certifies that we take appropriate precautions to make sure your details are kept safe. This covers everything from ensuring our teams are well trained in the security risks and vulnerabilities today, to implementing security compliant IT solutions. More information regarding this security standard can be found here: [https://www.pcisecuritystandards.org/pci\\_security/](https://www.pcisecuritystandards.org/pci_security/) For extra security, you'll see our checkout uses Verified by Visa, Mastercard SecureCard and American Express Safekey, which safeguards you from unauthorised use of your cards. Once you've registered and created a password with your card issuer, you'll be prompted to provide this each time you check out. We're constantly monitoring and testing our IT systems and using the latest technology to identify potential vulnerabilities and attacks to provide a safe and secure shopping environment. We maintain physical, electronic and procedural safeguards in connection with the collection, storage and disclosure of personal customer information. Our security procedures mean that we may occasionally request proof of identity before we disclose personal information to you. 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

## Cookies

Cookies are small file containing letters and numbers that is stored in your browser or the hard drive of your device and it is used to transfer information.

There are different types of cookies that we use. We've given you more information below so you understand why we use these cookies:

## Information About Our Use Of Cookies

Our website uses cookies to distinguish you from other users of our website. This helps us to provide you with a better experience when you browse our website and also allows us to improve our site. By continuing to browse the site, you are agreeing to our use of cookies.

We use the following cookies:

- Essential cookies. These are cookies that are required for the operation of our website. They include, for example, cookies that enable you to navigate our website, and use its features. When you return to the site, they enable us to remember the products that you've looked at or added to your basket.
- Personalisation cookies. These allow us to recognise and count the number of visitors to our website, and see how they use it. This helps us to learn where we can improve the way our website works, for example, by ensuring that users are finding what they are looking for easily. We will track the volume of people on our site, where they click and where they exit the site.
- Remarketing cookies. These cookies record your visit to our website, the pages you have visited and the links you have followed. We will use this information to make our website and the advertising displayed on it more relevant to your interests. We may also share this information with third party service providers so that we can show adverts that are relevant to you elsewhere on the internet.

By continuing to browse our website or use the app, you provide consent to us storing these cookies on your device and using them if you visit our site again. You can delete cookies at any time in your device browser. The method of deletion will vary so please check the help section on your device browser for more information. If you delete or block cookies it may affect the way our website works for you.