

# SMARTY App Privacy Policy

“SMARTY” is a trading name of Hutchison 3G UK Limited

This app privacy policy (“**Privacy Policy**”) covers SMARTY’s privacy practices in connection with your use of the SMARTY mobile application software (“**SMARTY app**”) which is available for download in the App Store and on Google Play.

References to “SMARTY” in this Privacy Policy mean Hutchison 3G UK Limited.

## 1. Other terms and conditions

This Privacy Policy should be read in conjunction with the following terms and conditions, which are incorporated into and form part of this Privacy Policy:

1. SMARTY’S [terms and conditions of use of its website](#), which apply to your use of smarty.co.uk.
2. SMARTY’s [Cookies Policy](#), which sets out the cookies used on smarty.co.uk.

## 2. General statement

SMARTY respects your right to privacy, and we are committed to complying with applicable data protection and privacy law. We will only collect information about you with your awareness and permission. Any personal information which you provide to us and/or which we obtain about you will be kept secure and confidential using appropriate technical measures and by ensuring staff are trained and aware of how to protect your data.

## Updates to this policy

As the app evolves, it's likely that we'll need to update this policy from time to time. If we change this Privacy Policy we will post the amended policy at [smarty.co.uk/terms](https://smarty.co.uk/terms), which will also be accessible from a link within the SMARTY app so you will always be aware of how we collect, use and disclose your personal information.

Please do read this policy and any updates carefully so you fully understand your privacy rights and how we will collect, store, use and share your information.

## Privacy commitment

Before we get started, we want to make a commitment to you as a SMARTY app user. At SMARTY, we respect your right to privacy and value your trust. That's why we've developed the following set of principles that underpin how we handle your personal information:

- We will be clear with you on how we collect, store, use and share personal information about you.
- We will provide you with the tools to control, access and update your personal information.
- We will keep your personal information secure and confidential.

### **3. What is the SMARTY app?**

The SMARTY app provides a variety of services to you as a SMARTY customer, including:

1. Access to your authenticated SMARTY account data, including the ability to review your allowances, current usage, extra charges incurred, and your plan renewal date.
2. Access to your plan information (including the plan name, renewal date, monthly charge, allowance information, active add-ons, the ability to buy an add-on).
3. Access to your plan usage history.
4. Links to useful pages hosted at smarty.co.uk with information on your payment options, your account information, and other support.
5. Web chat for quick support.
6. In-app campaigns, offers and content made available to you, provided that you have selected this function to be active.

### **4. Collection and use of your personal information**

Where you have provided consent we will collect and use the following information from your use of the SMARTY app:

#### **4.1 Personal information you give us**

The SMARTY app displays your SMARTY account data, which is collected through your use of SMARTY's service. As such, the SMARTY app does not itself provide users with a means of giving us personal information.

For some account functions made available by the SMARTY app (including account settings, changing plan and buying add-ons) we will link you to smarty.co.uk where you may provide us with information including your name, address, email address, date of birth, credit/debit card information. Where you are sent via a link from the SMARTY app to smarty.co.uk, the terms and conditions set out in the section "Other terms and conditions" above shall apply.

## **4.2 Information we collect about you**

### **Authentication information**

When you log in and use the SMARTY app, we will automatically carry out authentication checks to make sure that you are a SMARTY customer.

### **SMARTY account, technical, and device information**

In addition, each time you use the SMARTY app we will automatically collect the following information:

1. Your SMARTY account data, including your mobile number, plan, allowances, current usage, historical usage and other account information. We will use this to display your SMARTY account data within the SMARTY app.
2. Technical information, including your IP address, device (name, type, model), operating system, network, and the date and time. We will use this technical information to analyse trends, administer and improve the SMARTY app and the services we offer, track user movement through the SMARTY app and gather statistical information about visits to, and active use of, the SMARTY app.
3. Information from your device, where you have granted the relevant operating system permissions. These include:

If you are an iOS device user, you may have specifically enabled push notifications. We may use these to update you when a support agent has sent you a message, or relevant communications about SMARTY services.

## **5. Keeping your device and SMARTY app secure**

You are responsible for the security of your device and must make sure that you keep it secure. To prevent unauthorised access to your device and SMARTY app, you must keep any passwords and PIN numbers relating to your device and SMARTY account safe and secure. You must not share them with anyone else. If you find or suspect that anyone else knows your passwords or PIN numbers, or has access to your SMARTY app without your permission, you must contact us immediately.

## **6. How and why we use your personal information**

Before we get into the specifics, it's important that we explain some basic principles relating to how we can use your personal information. In addition to explaining how we will use your personal information and why we will use your personal information (i.e., the specified purpose for using your personal information), we must also tell you our "lawful basis" for

using your personal information. By “lawful basis” we really mean our legal reason for using your information. This will be one of 3 legal reasons:

- Where you **consent** to us processing and using your personal information for one or more specified purposes.
- Where using your personal information is necessary for the **performance of a contract** to which you are a party.
- Where using your personal information is necessary for the purposes of our (or a third party’s) **legitimate interests**, provided that this is not overridden by your interests or fundamental rights.

For each use we make of your personal information, we have set out below why we use your personal information, how we use your personal information, and our legal reason for using your personal information. Where appropriate, we have also given a practical example.

| 1 – User Profile                           |  |
|--|--|
| Why we use your data:                      | To bring you a better customer experience, including intelligent and personalised product offerings, discounts and rewards from SMARTY and our partners  |
| How we’ll use your data:                   | <p>With your consent, we’ll create a unique profile of you and your interests from:</p> <ol style="list-style-type: none"> <li>1. Information we know about you as a SMARTY network customer.</li> <li>2. Information you tell us when you use the SMARTY app</li> <li>3. Information we infer about your interactions with the app.</li> <li>4. Information from your app usage.</li> <li>5. Information provided to us by third parties who have your consent to share your information.</li> </ol> <p>We’ll match and combine each of the above information sources to really get to know you and your interests.</p> |
| Our legal reason:                          | Consent, which you can withdraw at any time by accessing your ‘Account Settings’ in the SMARTY app   |
| 2 – Marketing SMARTY products and services |  |
| Why we use your data:                      | At SMARTY we have incredible deals and services that we don’t want you to miss out on. With your permission, we want to send you emails and/or the odd push/in-app notification within   |

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|--|--|
|  | the SMARTY app about the products and services we have to offer.   |
| How we'll use your data:   | With your consent, we'll use your unique profiles to bring you information from SMARTY on products, services and offers we know you'll love                    |
| Our legal reason:  | Consent, which you can withdraw at any time by accessing your 'Account Settings' in the SMARTY app   |
| Practical example:   | We can bring you information on the latest plans & services from SMARTY to make sure you don't miss out  |
| <b>3 – Analyse user trends and usage of the SMARTY app</b>                             |  |
| Why we use your data:  | We use analytics software (e.g. <b>Google Analytics</b> ) to track usage throughout the SMARTY app. This helps us to analyse trends and improve the SMARTY app |
| How we'll use your data:   | We will monitor and track usage information.   |
| Our legal reason:  | Legitimate interests.  |
| <b>4 – Maintain, develop, improve, operate and deliver the SMARTY app and services</b> |  |
| Why we use your data:  | To maintain, develop, improve, operate and deliver the SMARTY app and services.  |
| How we'll use your data:   | We may use software to provide customer satisfaction surveys to you. This helps us to gather and analyse customer feedback about, and improve, the SMARTY app. |
| Our legal reason:  | Legitimate interests.  |

### **Your choices about how we collect and use your personal information**

Your right to privacy has been fundamental to the design of the SMARTY app. Where our use of your personal information is based on your consent, you can easily withdraw your consent at any time within the app.

#### Managing your consent preferences

To manage your consent preferences, all you need to do is access 'Account Settings' within the SMARTY app where you can, with one click, enable or disable any of: Marketing SMARTY products and services, Marketing 3<sup>rd</sup> parties.

### **7. Caching**

This is the storing of certain app data on your device. Specifically, we cache app settings and SMARTY account data to ensure the SMARTY app can be used while offline, to improve performance and reduce battery and network drain.

### **8. Your Rights**

You have certain rights with respect to your personal information. The rights may only apply in certain circumstances and are subject to certain exemptions. Please see the table below for a summary of your rights. You can exercise these rights using the contact details above (under the heading "Your privacy when using our website").

|   | <b>Summary of your rights</b>  |
|---|--|
| <b>Right of access to your personal information</b>           | You have the right to receive a copy of your personal information that we hold about you, subject to certain exemptions. You can download the <a href="#">Request for Access to Personal Information form</a> . If you can't download the form, we can send you a copy – please contact the Data Protection and Privacy Officer, Hutchison 3G UK Limited 450 Longwater Avenue, Green Park, Reading, Berkshire, RG2 6GF. <a href="mailto:DPA@smarty.co.uk">DPA@smarty.co.uk</a>   |
| <b>Right to rectify your personal information</b>             | You have the right to ask us to correct your personal information that we hold where it is incorrect or incomplete.  |
| <b>Right to erasure of your personal information</b>          | You have the right to ask that your personal information be deleted in certain circumstances. For example (i) where your personal information is no longer necessary in relation to the purposes for which they were collected or otherwise used; (ii) if you withdraw your consent and there is no other legal ground for which we rely for the continued use of your personal information; (iii) if you object to the use of your personal information (as set out below); (iv) if we have used your personal information unlawfully; or (v) if your personal information needs to be erased to comply with a legal obligation.<br><br>You can download the <a href="#">Request for the Right to Erasure form</a> .  |
| <b>Right to restrict the use of your personal information</b> | You have the right to suspend our use of your personal information in certain circumstances. For example (i) where you think your personal information is inaccurate and only for such period to enable us to verify the accuracy of your personal information; (ii) the use of your personal information is unlawful and you oppose the erasure of your personal information and request that it is suspended instead; (iii) we no longer need your personal information, but your personal information is required by you for the establishment, exercise or defence of legal claims; or (iv) you have objected to the use of your personal information and we are verifying whether our grounds for the use of your personal information override your objection. |
| <b>Right to data portability</b>                              | You have the right to obtain your personal information in a structured, commonly used and machine-readable format and for it to be transferred to another organisation, where it is technically feasible. The right only applies where the use of your personal information is based on your consent or for the performance of a contract, and when the use of your personal information is carried out by automated (i.e. electronic) means.<br><br>You can download the <a href="#">Right to Data Portability form</a> .   |

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| <b>Right to object to the use of your personal information</b>                   | You have the right to object to the use of your personal information in certain circumstances. For example (i) where you have grounds relating to your particular situation and we use your personal information for our legitimate interests (or those of a third party) including for profiling; and (ii) if you object to the use of your personal information for direct marketing purposes, including profiling (to the extent it relates to direct marketing). |
| <b>Right to object to decision which is based solely on automated processing</b> | You have the right in certain circumstances not to be subject to a decision which is based solely on automated processing without human intervention.  |
| <b>Right to withdraw consent</b>   | You have the right to withdraw your consent at any time where we rely on consent to use your personal information.   |
| <b>Right to complain to the relevant data protection authority</b>               | You have the right to complain to the relevant data protection authority, which is, in the case of SMARTY, the Information Commissioner's Office, where you think we have not used your personal information in accordance with data protection law.   |

## 9. Copyright

All artwork, copy, visual imagery, user interface design and graphics (c) 2021 - Present - Hutchison 3G UK limited and respective licensors. Software (c) 2021 - Present. Developed by Blue Beck Limited. All rights reserved.

## Contact us

Please feel free to contact us using the contact details below if you:

- Have any questions about this policy or how we collect, store, use and share your personal information.
- Wish to exercise any of the rights detailed in the section entitled 'Ways you can access, control and correct your personal information'.

**Email:** [dpa@smarty.co.uk](mailto:dpa@smarty.co.uk)

### Post:

Data Protection and Privacy Officer  
Hutchison 3G UK Limited  
450 Longwater Avenue  
Green Park  
Reading  
Berkshire  
RG2 6GF

### How to contact the Regulator:

You have the right to report any concern in relation to our information rights practices to the Information Commissioner's Office. To learn more, please visit <https://ico.org.uk/concerns> or call their helpline on 0303 123 1113.