

# Online Privacy Policy

Your privacy when using our website

V7.0, 1 June 2025

# SMARTY

Simple, honest mobile

**This policy covers our privacy practices in connection with our website and the service we provide to you; to let you know about the kinds of information we may obtain about you, how we may use that information, and who we might share it with.**

**We're not responsible for the content or privacy practices of other websites.**

### **Introduction**

SMARTY is brought to you by Hutchison 3G UK Limited of 450 Longwater Avenue, Green Park, Reading, Berkshire, RG2 6GF trading as "SMARTY" ("**SMARTY**", "**Three**", "**We**" or "**Us**").

We act as the "Data Controller" of the information you provide to us or that we know about you through your use of SMARTY for the purposes of data protection law.

This notice sets out in clear and plain terms how we collect, store, use, and share your information as a visitor to our website ([www.smarty.co.uk](http://www.smarty.co.uk)).

Please feel free to contact us using the contact details below if you have any questions about this notice, or if you wish to exercise any of the rights detailed in the '**Your Rights**' section.

### **Three's merger with Vodafone**

In June 2025, Hutchison 3G UK Limited (who operate Three and SMARTY) and Vodafone Limited merged and are now part of VodafoneThree Group. This merger means that we can offer you more products, services and benefits including network enhancements.

To operate our business and manage our relationship with you, we may share your data with other companies in the Three Group (as defined at the bottom of this Privacy Policy), such as Vodafone Limited.

Whilst We and Vodafone Limited (and where applicable other Three Group companies) remain separate Data Controllers, some personal data processing activities may be undertaken in a joint controllership capacity. If you have any questions or wish to exercise your rights regarding your data, you can still get in touch with Us, see "Contact us" at the bottom of this Privacy Policy. For information on Vodafone Limited's products, services and privacy practices, please visit: [www.vodafone.co.uk/privacy](http://www.vodafone.co.uk/privacy).

If you have questions about how your personal information is kept, or if you need support with exercising your rights in regards to the personal information we keep on you, please contact our Data Protection Officer ("DPO") at [dpa@smarty.co.uk](mailto:dpa@smarty.co.uk). Or, you can write to Data Protection Officer, Hutchison 3G UK Ltd (trading as SMARTY), 450 Longwater Avenue, Green Park, Reading, RG2 6GF.

### **Privacy Commitment**

At SMARTY, we respect your right to privacy and value you as our customer. We rely on a set of principles that underpin how we use your personal information:

- We will keep your personal information secure and confidential.
- We will only collect, store, use and share personal information about you with your awareness.
- We will provide you with the information required to control, access, and update your personal information.

### **Children**

We do not knowingly collect the data of individuals under the age of 13. If you are aged 16 or under, you must obtain your parent or guardian's consent to provide your personal information to us.

SMARTY may offer Group Plans to its customers. An owner of a group plan must be over 18 to hold an account, and group members must be 13 years or over.

If you have any questions regarding this, please contact us using the details in the **‘Contact us’** section below.

## **What we collect**

To enable us to provide services to you, to enter into a contract with you, and to manage your account, it's important that we collect, process, and store various parts of your personal information.

When you provide us with your personal information, you agree that it will be true, complete, and accurate and to tell us immediately if any of it changes. If you don't provide the relevant personal information to us, or if it's inaccurate, we may not be able to provide services to you. If we reasonably believe that you've supplied us with false or inaccurate information, or if we suspect fraud, we may delay any connection or suspend your access to SMARTY services until an investigation has been completed to our satisfaction.

If you provide us with information about another individual, or register a device in the name of another individual, you must have their agreement to do so, or be acting with legal authority.

The services and products you use will determine the sorts of personal information we may hold. Below, we cover some of the types of information we may collect, process, and store:

- Your name and address, email address, phone number, gender, and date of birth.
- Your payment card and/or bank details. This enables the payment for your plan.
- Contact notes we have with you. For example, whenever you speak to one of our representatives in our Customer Services team via phone or chat, they'll leave notes against your account recording the purpose of that interaction. If you call or webchat with us, we may also record the call or store the transcript of the chat in line with our company retention policies.
- Information generated through the use of your phone, such as call information, location information, and dynamic IP address. We use this to ensure you can stay connected and use your device connection. It also enables us to accurately charge you for usage of our services.
- Location-based information. We use this to provide location-based services requested by you. We may also share your location data with the emergency services if you call 999 or 112 using your device. This is to help them locate you in the event of an emergency. If you have an Android operating system 2.3 or above, or an iPhone with iOS 11.3 or above, your device may automatically transmit location data to the emergency services for the same purpose.
- Information about your phone, including the unique codes that identify your phone and SIM card.
- Information you share when you use our websites. We do this by using cookies.
- Information that enables us to manage your account, such as account number, payment date information. This also includes contact history notes.
- Your preferences for particular products and services when you have given them to us or products we assume are of interest, based on your choices and/or how you use our products and services.

- Information you provide us to protect your account, such as passwords. Such information is used to validate access to your account. We collect and store this securely.
- In some cases, where permitted by law, special categories of personal data including data concerning health, disability or other accessibility requirements

Special category personal data is only collected and processed with your explicit consent. For example, we may hold information about accessibility needs to enable us to provide you the best customer service experience. We'll ask your permission if we wish to use or share this information beyond the original reason we collected it.

### Use of Your Personal Information

Your personal information may be used by us, our employees, our service providers and disclosed to third parties in the ways described below.

Where we rely on the lawful basis of legitimate interests, we assess our business interests to make sure that these do not override your rights. Additionally, in some cases you have the right to object to this processing. For more information visit the **Your rights** section of this policy.

| Purpos  | Legal  |
|---|--|
| Process applications or registrations made by you.  | For the performance of contract or to take steps prior to entering into a contract with you.   |
| To provide products, services and information requested by you.   | Our legitimate business interests to manage our relationship with you;<br><br>or performance of contract; or consent;<br>and/or<br>or legal obligations.   |
| To monitor and/or record communications between you and SMARTY for quality control and training purposes.   | Our legitimate business interest   |
| To conduct fraud checks for monthly price plan accounts, verify your identity, and assess your application or future applications. We and other organisations may also use your personal information, for identification purposes, debt tracing, the prevention of fraud and money laundering, the management of your account and to make credit decisions about you and other members of your household.   | For the performance of contract or to take steps prior to entering into a contract with you. To fulfil our legal obligations and prevent criminal activity, fraud and money laundering.  |
| To keep you up to date with information about SMARTY, SMARTY Services, and offers and promotions by email, and direct to your handset by text, picture and video.<br><br>We will send you communications for two purposes:<br><ol style="list-style-type: none"> <li>1. To send you important service-related messages about SMARTY (e.g., to notify you of updates to our terms or policies etc.). We call these “<b>service messages</b>”.</li> <li>2. We will send you emails, SMS and/or push notifications to keep you up to date on the latest and best offers, rewards and content available at SMARTY including personalised offers for you.</li> </ol> | For service messages, we rely on our legitimate business interests.<br><br>SMARTY uses soft-opt in when it comes to sending electronic mail or SMS marketing. For more information on soft opt, please visit the <a href="#">ICO website</a> .<br><br>SMARTY relies on consent to send you marketing messages via push notifications to your phone.<br><br>If you no longer wish to receive marketing from SMARTY, you can opt-out or change |

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| We call these “ <b>marketing messages</b> ”.  | your preferences via your online account or via the SMARTY app. There will also be an unsubscribe link at the bottom of all email marketing message and instructions in your SMS on how to opt out. |
| To search the records of fraud prevention agencies in assessing applications for SMARTY Services. If you provide us false or inaccurate information and we suspect fraud, we will record this and store the records with fraud prevention agencies. We and other companies may use this information if decisions are made about you on credit or credit-related services. | Our legal and regulatory obligations; or our legitimate business interests.   |
| To administer your account and provide our customer services.   | Our legitimate business interests; or the performance of a contract.  |
| To manage complaints, feedback, and queries.  | For the performance of contract; or our legal obligations; or our legitimate business interests to manage our relationship with you and improve our business operations and services.               |
| To comply with legal or regulatory obligations (including in connection with a court order).  | Our legal obligations.  |
| To conduct analysis for traffic and billing management, and to support product development.   | Our legitimate business interests to provide, improve and develop SMARTY products and services.   |
| To carry out our obligations arising from any contracts entered between you and us to provide you with the products and services requested.   | For the performance of our contract with you.   |
| To contact you for market research purposes.  | Our legitimate business interests to develop and improve our website and our products and services offered to you.  |
| To enforce or apply contracts (including contracts between you and us).   | Our legitimate business interests; or for the performance of a contract;  |

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|  | or our legal obligations (i.e., the establishment, exercise or defence of legal claims).   |
| To notify you about changes to our website.  | Our legitimate business interests.   |
| We may collect special category data which may be classified as “sensitive” (such as visual or hearing impairments).     | Our legal obligations;<br>or consent.  |
| To improve the quality of our website and to ensure that it functions correctly, for example through the use of cookies. | Our legitimate business interests to facilitate navigation, display information effectively and gather statistical information about the usage of our website to improve design and functionality. |

We may be required to obtain your personal information to comply with our legal requirements, to enable us to fulfil the terms of our contract with you or in preparation of us entering into a contract with you. If you do not provide the relevant personal information to us, we may not be able to provide the service to you.

### **Third parties**

We may receive personal information about you from:

- (a) fraud prevention agencies such as CIFAS. We and other companies may use this information if decisions are made about you on credit or credit-related services; and
- (b) commercial partners who supply goods and services to us.

### **How Long We Keep Your Information**

We'll keep your personal information for as long as necessary for the purposes for which it was collected, to provide you with services and to conduct our legitimate business interests or where otherwise required by law. If you use 'SMARTY Services', we may hold your Communications Data for 12 months for legitimate business purposes (or longer in connection with any legal proceedings or disputes).

### **Disclosure**

Your personal information may also be processed by other organisations on our behalf for the purpose of processing applications and providing information or services to you. The use of personal data for these purposes will remain under our control at all times. We may disclose your information to other members of our group of companies, and to our or their partners, associates, agents or subcontractors and to possible successors to our business. Some of these parties may reside outside the European Economic Area. If we do this, your information will be treated to the same standards adopted in the UK.

Where you have purchased SMARTY products and services using a third party or partner organisation, we often need to exchange information with them as part of managing that relationship and your account – for example, to be able to identify your order and be able to pay them. These third parties may collect information about you when you interact with their content or services. We are not responsible for the practices of these third parties. Please consult their privacy policies to learn about their data practices.

We may also disclose your information for the prevention and detection of crime and to protect our interests and other users or if required to do so by law.

We may also disclose your personal information to other third parties, for example:

- in the event that we sell or buy any business or assets we will disclose your personal information 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 (or are subject to a reorganisation within our corporate group), personal information held by us will be one of the transferred assets; and
- if we are under a duty to disclose or share your personal information in order to comply with any legal obligation, or in order to enforce or apply the agreements concerning you (including agreements between you and us).

## **Transfers of Your Personal Information**

### **Countries**

Your personal information will be processed and held primarily on servers located in the United Kingdom (UK) or within the European Economic Area (EEA).

However, we may transfer your personal information to service providers for processing in countries outside the UK or the EEA. If we do this, we ensure that we have appropriate safeguards and security measures in place to ensure that your personal information receives the same protection as if it were being processed in the UK or the EEA.

### **Your rights**

You have certain rights in relation to the personal information we hold about you. If you wish to exercise any of these rights, please contact us using the details in the '**Contact us**' section below.

Please note that these rights do not apply in all circumstances.

**Right of access:** you have the right to access a copy of your personal information we hold about you.

You can download the [Request for Access to Personal Information](#). If you cannot download the form, we can send you a copy – please contact the Data Protection and Privacy Officer by email at [DPA@smarty.co.uk](mailto:DPA@smarty.co.uk) or by post at Hutchison 3G UK Limited trading as "SMARTY" of 450 Longwater Avenue, Green Park, Reading, Berkshire, RG2 6GF

**Right to rectification:** you have the right to correct personal information we hold about you if it is inaccurate, incomplete, or out of date.

**Right to erasure:** you have the right to request erasure of your personal information you have given to us in certain circumstances.

You can download the [Request for the Right to be Forgotten form](#).

**Right to restriction:** you have the right to request that our use of your personal information be restricted.

**Right to portability:** 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.

You can download the [Right to Data Portability form](#).

**Right to object:** you have the right to object to your personal information being processed on the

basis of legitimate interests (see section entitled '**Use of Your Personal Information**').

**Right to withdraw consent:** you have the right to withdraw your consent at any time where we rely on consent to use your personal information.

**Rights regarding automated decision making:** you have the right not to be subject to a decision based solely on automated processing.

### **Other terms and conditions**

You should read this policy in conjunction with our website terms and conditions (which apply to your use of this website), our Terms for SMARTY Services (which apply to your use of SMARTY Services). Our customer privacy statement concerning your use of SMARTY Services is contained within the 'Privacy Notice' found in Section 13 of our Terms for SMARTY Services.

### **Contact Us**

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

Post: FAO Data Protection Officer, Hutchison 3G UK Limited (trading as "SMARTY"), 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.

### **Updates to This Notice**

If we change this policy, we will post the amended policy on our website so that you are always aware of how we collect, use and disclose your personal information. This policy was last updated on the date stated on the first page.

In this Privacy Policy "**Three Group**" means any entity which directly or indirectly controls Hutchison 3G UK Limited (a "Three Holding Company"), and any entity which is directly or indirectly controlled by a Three Holding Company. Here "control" means: (i) the ownership of not less than 25% of the voting rights, or (ii) the ability to influence or direct the affairs of an entity through an agreement or constitutional document).