

4Com Plc (company number 06472837), 4Com Customer Service Limited (company number 03601393), 4Com Network Services Limited (company number 06472696) and all other group companies from time to time together (**4com, we us, our**) are committed to protecting and respecting your privacy.

1 SCOPE OF POLICY

1.1 This policy (together with our HiHi phone usage terms and conditions as set out at www.4com.co.uk (**Terms**) and any additional terms of use incorporated by reference into the Terms, together **our Terms of Use**) applies to your use of:

1.1.1 your HiHi phone telephone device (**HiHi phone**); and

1.1.2 any of the services and products accessible through HiHi phone (**Services**) including network services, internet services, software applications (**Apps**), unless the Terms states that a separate privacy policy applies to a particular Service or App, in which case that privacy policy only applies.

1.2 This policy sets out the basis on which any personal data 4com collects 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 4com will treat it.

1.3 By ticking the "Agree/Disagree" prompt when setting up your user profile and preferences, you consent to 4com collecting and using your data in accordance with the terms of the policy. If you no longer consent to the processing of your data as described in this policy, you should contact 4Com Plc Customer services <https://www.4com.co.uk/contact-us/>.

1.4 We may also rely on our legitimate interest, as well as the legitimate interest of third parties to which your Information is disclosed, to process your Information, including for conducting data analytics.

1.5 For the purpose of the Data Protection Act 1998, or any replacing legislation, the data controller is 4Com Plc (company number 06472837) and/or 4Com Customer Service Limited (company number 03601393), 4Com Network Services Limited (company number 06472696) and all other group companies from time to time as appropriate, whose registered office is at Loewy House, Aviation Park West, Bournemouth International Airport, Christchurch, Dorset BH23 6EW.

2 INFORMATION WE MAY COLLECT FROM YOU

4com may collect and process the following data about you (**Information**):

2.1 **Information you give us:** You may give us information about you by:

2.1.1 filling in forms on the Apps;

2.1.2 by corresponding with us (for example, by e-mail or chat);

- 2.1.3 registering with us for a business account;
- 2.1.4 configuring and registering individual profiles and configuring settings and preferences;
- 2.1.5 downloading, registering or subscribing for an App;
- 2.1.6 subscribing to any of our Services;
- 2.1.7 searching for an App or Service;
- 2.1.8 making an in-App purchase;
- 2.1.9 sharing data via an App's social media functions;
- 2.1.10 syncing the HiHi phone with a user's social media account including but not limited to Facebook, Twitter and LinkedIn;
- 2.1.11 syncing content with a user's e-mail, address book, mobile device contacts or calendars;
- 2.1.12 uploading video content to the HiHi phone;
- 2.1.13 when you report a problem with an App or Service;
- 2.1.14 using the terminal equipment;
- 2.1.15 using the search engine for internet searching/browsing;
- 2.1.16 inputting your data into the search engine;
- 2.1.17 using the network to make voice and video call;

the information you give us may include your name, address, e-mail address and phone number and those of your contacts, your company name, job title, location, your mobile phone number, age, date of birth, username, password and other registration information, financial and credit card information, information about your internet searches and browsing/purchasing preferences.

2.2 Information we collect about you and your device. Each time you use your HiHi phone or one of our Apps or Services We may automatically collect the following information:

- 2.2.1 technical information, including the type of mobile device you use, a unique device identifier (for example, your HiHi phone's unique number, the address of the HiHi phone's wireless network interface), mobile network information, mail server type, your mobile operating system, the type of mobile browser you use, time zone setting;
- 2.2.2 information stored on your HiHi phone, including contact information, friends lists, login information, photos, videos or other digital content, check ins; and

2.2.3 details of your usage of the HiHi phone, including telephone numbers dialled, time of day duration of call, type of business being called, working hours, identity of callers (both incoming and outgoing), number of calls, call recording, web surfing behaviour including internet sites visited and search/browsing preferences, and use of any of the Apps or Services, (including, but not limited to, traffic data, location data, weblogs and other communication data) whether this is required for our own billing purposes or otherwise and the resources that you access.

2.3 **Location information.** We may also use the information collected above to determine your current location. Some of our location-enabled Services and Apps require your personal data for the feature to work. If you wish to use this particular feature, you will be asked to consent to your data being used for this purpose. You can withdraw your consent at any time by contacting us in accordance with our contact details set out in paragraph 12 below.

2.4 **Information we receive from other sources.** We are working closely with third parties (including, for example, business partners, sub-contractors in technical, payment and delivery services, advertising networks, analytics providers, search information providers, App developers and credit reference agencies) and may receive information about you from them.

2.5 **If you contact us,** 4com may keep a record of that correspondence.

2.6 **Unique application numbers:** when you install or uninstall a Service or App containing a unique application number or when such a Service or App searches for automatic updates, that number and information about your installation, for example, the type of operating system, may be sent to us.

3 **COOKIES**

We use cookies to distinguish you from other users of Apps or Services. This helps us to provide you with a good experience when you use the Apps or browse the internet and also allows us to improve the Apps and Services. For detailed information on the cookies 4com use and the purposes for which we use them, see our cookie policy at www.4com.co.uk.

4 **USES MADE OF THE INFORMATION**

4.1 We use Information held about you in the following ways:

4.2 Generally in respect of:

4.2.1 to register you or the HiHi phone for an App or Service;

4.2.2 to provide a Service, App or feature you request;

4.2.3 to provide maintenance services;

4.2.4 to identify numbers dialled or calls received;

4.2.5 to provide itemised billing and other billing information to the subscriber;

4.2.6 for the prevention and detection of fraud or crime;

- 4.2.7 for business monitoring and internal record keeping;
 - 4.2.8 to carry out our function as a telecommunications service provider in particular in order to carry out the transmission of communications;
 - 4.2.9 to comply with legal obligations.
- 4.3 Based on your past use of the HiHi phone, your personal profiles, preferences calling habits and user behaviour including internet user behaviour:
- 4.3.1 to provide general and tailored content (such as weather, news, traffic and events) and make recommendations;
 - 4.3.2 for advertising, such as providing customised advertisements and consent (including through our advertisers) and sending you promotional communications and push information alerts and notifications to the HiHi phone or your email and mobile device;
 - 4.3.3 to send you service messages and "how-to" information on a personalised basis;
 - 4.3.4 for assessment and analysis of our market, customers, products and services;
 - 4.3.5 for research and development to better understand the way people use the Hihi phone so we can improve it and develop new Apps and Services;
 - 4.3.6 to aggregate your information with other information held by us from other users of the HiHi phone (whether employed by your employer or a third party), with the aggregated information and users being described as a "4community";
 - 4.3.7 to provide computerised telephony integration services; and/or
 - 4.3.8 otherwise with your consent.
- 4.4 We may associate any category of information with any other category of information and will treat the combined information as personal data in accordance with this policy for as long as it is combined.
- 4.5 We do not disclose information about identifiable individuals to our advertisers, but 4com may provide them with anonymous aggregate information about our users (for example, 4com may inform them that 500 men aged under 30 have clicked on their advertisement on any given day). 4com may also use such aggregate information to help advertisers reach the kind of audience they want to target (for example, women in SW1). 4com 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.
- 4.6 [The HiHi phone also has the capability to be used as CCTV and facial recognition.]

5 **DISCLOSURE OF YOUR INFORMATION**

- 5.1 We may disclose your personal information to any member of our 4com group, which means our subsidiaries, our ultimate holding company and its subsidiaries, as defined in section 1159 of the Companies Act 2006.
- 5.2 We may disclose your personal information to third parties:
- 5.2.1 in the event that 4com sell or buy any business or assets or are negotiating any such sale or purchase, in which case we may disclose your personal data to the prospective seller or buyer of such business or assets;
 - 5.2.2 if 4com or substantially all of its 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;
 - 5.2.3 if 4com are under a duty to disclose or share your personal data in order to comply with any legal or regulatory obligation or request;
 - 5.2.4 In order to:
 - (a) enforce or apply the Terms, Our Terms of Use (located at www.4com.co.uk), the terms and conditions of purchase (located at www.4com.co.uk) and other agreements or to investigate potential breaches; or
 - (b) protect the rights, property or safety of 4Com, our customers or others. This includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction; or
- 5.3 We may disclose your personal information to any company within the 4Com group of companies or to any third party service provider acting on our behalf (such as cloud service providers).

6 WHERE WE STORE YOUR PERSONAL DATA

- 6.1 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. These staff may be engaged in the fulfilment of your request or 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 privacy policy.
- 6.2 All information you provide to us is stored on our secure servers. Any payment transactions carried out by us or our chosen third-party provider of payment processing services will be encrypted. Where 4com have given you (or where you have chosen) a password that enables you to access certain Services, you are responsible for keeping this password confidential. We ask you not to share a password with anyone. Where you have been assigned credentials (or have credentials yourself) to enable you to access services or data, you are responsible for keeping these confidential. Never share your credentials with other people.

6.3 Unfortunately, the transmission of information via the internet is not completely secure. Although 4com will do our best to protect your personal data, We cannot guarantee the security of your data transmitted; any transmission is at your own risk. Once 4com have received your information, we will use strict procedures and security features to try to prevent unauthorised access.

6.4 We may collect and store personal data on your HiHi phone.

6.5 When using certain Services including social networking, chat room or forum features, ensure that when using these features that you do not submit any personal data that you do not want to be seen, collected or used by other users.

7 **DIRECT MARKETING**

7.1 4com may use information about you which we hold in order to provide you with information about products or services, promotions, special offers and other information which relates to our products or services or which we believe may be of interest to you.

7.2 When you provide us with information about yourself, you will be given the option to let us know that you do not want that information to be used for direct marketing purposes whether by ourselves or by any third party (including our commercial partners). We will only use that information for the purpose of direct marketing in accordance with your preferences (or where 4com are otherwise permitted to do so by law).

7.3 We may send you such information by:

7.3.1 email;

7.3.2 telephone (including automated calls which means a call which delivers a pre-recorded message with marketing content to your telephone);

7.3.3 SMS text message and/or any other form of electronic messages (including MMS; picture messages; video messages; instant messages; and next generation messages);

7.3.4 post;

7.3.5 fax;

7.3.6 via an App;

7.3.7 social networking websites;

7.3.8 any mobile telephone media content not referred to elsewhere in this list;

7.3.9 or any other method which becomes relevant from time to time.

8 PRIVACY AND ELECTRONIC COMMUNICATIONS (EC DIRECTIVE) REGULATIONS 2003

8.1 These Regulations specify that we must obtain your consent where we carry out the following actions:

8.1.1 storing or gaining access to information stored in terminal equipment of a user;

8.1.2 processing and storing of traffic data relating to a user; and

8.1.3 processing of location data relating to a user.

8.2 We have set out above the information and data we will be storing and why. Consequently by agreeing to the terms of this policy you acknowledge you are giving your informed consent for the purposes of these Regulations.

8.3 You can withdraw your consent to the process of traffic and location data as set out at paragraphs 8.1.2 and 8.1.3 above.

9 YOUR RIGHTS

9.1 You have the right to ask us not to process your personal data for marketing purposes. 4com 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 at info@4com.co.uk.

9.2 The Apps and Services may, from time to time, contain links to and from the websites of our partner networks, advertisers and affiliates (including, but not limited to, websites on which the App or the Services are advertised). If you follow a link to any of these websites, please note that these websites and any services that may be accessible through them have their own privacy policies and that we do not accept any responsibility or liability for these policies or for any personal data that may be collected through these websites or services, such as contact and location data. Please check these policies before you submit any personal data to these websites or use these services.

10 ACCESS TO INFORMATION

The Data Protection Act 1998 gives you certain rights to access personal information held about you. Your right of access can be exercised in accordance with that 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.

11 CHANGES TO PRIVACY POLICY

Any changes we may make to our privacy policy in the future will be posted on this page and, where appropriate, notified to you by email or when you next log onto the HiHi phone or via website updates at www.4com.co.uk. The new terms may be displayed on-screen and

you may be required to read and accept them to continue your use of the HiHi phone App or the Services.

12 **CONTACT**

Questions, comments and requests regarding this privacy policy are welcomed and should be sent to info@4com.co.uk.