

The 4th Utility Privacy Policy

1 WHO ARE WE?

This is the privacy policy of the 4th Utility. Our main registered address is Suite 3 Beech House, 1 Cambridge Road, Hale, Cheshire, WA15 9SY. We provide full fibre FTTP broadband & other fibre network services.

We are responsible for your personal data as data controller.

We have a data protection officer (DPO) who is responsible for all of our issues relating to the protection of personal data. The data protection officer can be contacted by email at dpo@4thu.co.uk

or in writing at the below:

The Data Protection Officer.
The 4th Utility

This privacy policy replaces all previous versions and is valid from 1st January 2020.

2 WHO DOES THIS PRIVACY POLICY APPLY TO?

This privacy policy applies to:

1. Customers who have a contract or are discussing arrangements with us for access to your property to install our network;
2. Prospective customers who may enter into a contract with us for our Full Fibre broadband or other additional services who have communicated with us at an event, by phone, email or other means.
3. Individuals that use our websites;
4. Former customers;
5. Nominated users or individuals acting under a power of attorney; and
6. Shareholders.

Our services are not intended for children, unless we expressly state otherwise, and we do not knowingly collect or process personal data relating to children or anyone aged under 18 years.

It is important that the personal data we hold about you is accurate and current.

It's your responsibility to keep us up to date if you make any changes to your personal data by contacting us via phone or email to customer.support@4thu.co.uk

3 WHAT INFORMATION DO WE COLLECT?

Personal data is any information that can identify a natural person. We may collect, use, store and transfer different categories of personal data to enable us to deliver our services, as follows:

1. **Data about your Identity** including title or salutation, first name, last name, date of birth and gender. For businesses or the self-employed it may include business name, business address, company registration number, VAT number and HMRC UTR details.

2. **Data about your contact details** including service address, correspondence/billing address, email address, landline telephone number and mobile phone number
3. **Financial data** including your bank account details for a direct debit and payment card details and your credit rating
4. **Data relating to a transaction** including details about payments to and from you and about the products and services that you have purchased from us
5. **Technical data** including IP address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, registered email addresses used to create a T4U profile within the 'My Account' sections on website and Mobile App, online chat logs and other information on the devices you use to access our services
6. **Data about your T4U profile** including your My Account username and password, your interests, preferences, feedback and survey responses
7. **Data about your usage of our products and services** including the amount of time you spend online, the channels and programs you watch and record, websites you visit
8. **Data relating to your marketing and communications preferences** including what method you would like to receive marketing and how frequently
9. **Special categories of personal data** including information about your health that we may need to know to provide you with the best service for you and biometric data that you may give us to gain quicker access to your account information.

We may also collect and use non-personal data such as statistical or demographic data. This data may be derived from your personal data but is not considered personal data as this data cannot be used to identify you.

4 HOW DO WE COLLECT INFORMATION?

Information you give us

When you place an order with us for any of our services (for example over the Mobile App, online through the www.the4thutility.co.uk or through a third party building management affiliate), we will need certain information to process your order.

When you contact us to discuss your services, we may ask for certain information to be able to confirm your identity, check our records and answer your questions quickly and accurately.

If you take part in any trials, complete any survey or enter any competitions we may ask for information about you, which we will make clear to you at the time and for the purpose we will be using this information.

Information we automatically collect

1. When you use our services; and
2. When you visit our websites or use our mobile applications, we may collect and process information about your usage of these by using "cookies" and other similar technologies to help us make improvements to the websites and to the services we make available.
3. When you download or use mobile applications created by us and, where applicable, have requested or consented to location services, we may receive information about your location and your mobile device, including a unique identifier for your device.

We may use this information to provide you with location-based services, such as search results, and other personalised content. Most mobile devices allow you to turn off location services. Our mobile application does not collect precise information about the location of your mobile device.

Information we receive from other sources

We may receive personal data about you from third parties or publicly available sources in the following categories:

1. Companies contracted by us to help us provide services to you
2. Other telecommunications operators when transferring services
3. Marketing organisations
4. Credit reference agencies or fraud prevention agencies.

5 HOW DO WE USE INFORMATION?

The information we collect helps us to better understand what you need from us and to improve the provision of our services to you.

We use the information collected for example to:

1. Verify your identity when you use our services or contact us
2. Process your enquiries, orders or applications, for example when assessing an application, we may use automated decision-making systems
3. Carry out credit checks and to manage your accounts
4. Monitor, record, store and use any telephone, e-mail or other electronic communications with you for training purposes, so that we can check any instructions given to us and to improve the quality of our customer service, and in order to meet our legal and regulatory obligations
5. Where you have agreed, provide you with information about other T4U services, offers or products which you may be interested in
6. To notify you about changes to our service
7. To tell you about changes to our websites, services or terms and conditions
8. To notify you about network maintenance, planned and unplanned outages
9. With your consent, carry out any marketing analysis, profiling or create statistical or testing information to help us personalise the services we offer you and to understand what our customers want
10. Recover any monies you may owe to us for using our services
11. Analyse our services with the aim of improving them e.g. to monitor the performance of our civils contractors
12. Prevent or detect a crime, fraud or misuse of, or damage to our network, and to investigate where we believe any of these have occurred
13. Monitor network traffic from time to time for the purposes of backup and problem solving, for example our automated system may monitor email subjects to help with spam and malware detection
14. To carry out our obligations and to enforce our rights arising from any contracts entered into between you and us and to provide you with the information, products and services that you request from us
15. To comply with any legal obligations we have because we run a business and because we are an Internet Service Provider and an Electronic Communications Provider
16. To ensure that content from our site is presented in the most effective manner for you and for your computer or device; and

Your data may also be used for other purposes for which you give your specific permission or, in very limited circumstances, when required by law.

We may supplement the information directly collected by us with data from third parties (for example socio-demographic data) to further improve the services or products we offer customers.

We may combine this information with information you give to us. We will use this information:

- to allow us to deliver our services to you (including any associated functionality such as parental controls on Internet access, maintenance, assistance or troubleshooting) and to allow us to understand and manage traffic flows on our network
- to administer our site and for internal operations, including troubleshooting, data analysis, testing, research, statistical and survey purposes
- to improve our site to ensure that content is presented in the most effective manner for you and the device through which you are viewing the site
- to allow you to participate in interactive features of our service, when you choose to do so
- as part of our efforts to keep our site and our services safe and secure
- to measure or understand the effectiveness of advertising we serve to you and others, and to deliver relevant advertising to you

6 WHEN WILL WE SHARE YOUR DATA WITH OTHERS?

We may need to share your information with organisations outside T4U e.g.; to help us provide our services to you.

The categories of non-T4U parties that we would share your details with are:

1. Third party suppliers who help T4U to perform our services;
2. Professional advisors;
3. Law enforcement agencies;
4. Other companies as part of the process of selling one or more of our businesses or part of those businesses; and
5. Regulators (such as OfCOM, DCMS or the ICO).

Where instructions in respect of the use of your personal information and they must comply with all applicable UK data protection laws to protect your information and keep it secure.

7 PROTECTING INFORMATION

We take protecting your data seriously, and will do our utmost to employ appropriate organisational and technical security measures to protect you against unauthorised disclosure or processing.

The data that we collect from you is primarily stored and managed in the UK, but some of our systems and other suppliers may transfer, and store your information outside the European Economic Area (“EEA”). We will take all steps reasonably necessary to ensure that your data is treated securely and to the same standards as if it were being processed inside the EEA in a way that is compliant with the legislation governing data protection.

Unfortunately, the transmission of information via the Internet is not completely secure. Although we will do our best to protect your information, 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.

Unfortunately, we cannot guarantee the security of transmitting information via the Internet. We have tried to create a secure and reliable website and mobile application for our users in line with industry standards. However, we have no responsibility or liability for the security of personal information transmitted via the Internet.

8 WHY DO WE PROCESS YOUR DATA?

We process each type of personal data for one the following reasons:

1. We need to process the data under our contract with you for our services
2. We have a legitimate interest as a business in processing your data. We also use your information to enable us to run our business and to ensure the quality of our work. It is in our legitimate business interests to do this where this does not materially impact on your freedoms or rights. This would include using your information to assist the good governance of our business, including the management, accounting and auditing of our business and for example, to monitor the service provided to us by third parties or when analysing traffic flows on our network to ensure all our customers have optimal service.
3. We will use your information to inform our quality control and management of our business and as part of our duties to promote health and safety at work.
4. To comply with any legal obligations we have as an Internet Service Provider and an Electronic Communications Provider.
5. We have your consent (which you can withdraw at any time).
6. If you communicate with us about our network build we will use your contact information to communicate with you and where necessary to ensure that our contractors communicate with you to investigate a complaint or rectify an issue.

If you don't provide us with the data we need then we may not be able to perform our contract with you and may need to terminate the contract. If this happens, we will notify you as set out in our Terms and Conditions of Service.

9 TRANSFERS OF DATA OUTSIDE THE EEA

From time to time the third parties we share our data with may be outside the European Economic Area (**EEA**) in countries that do not always have the same standard of data protection laws as the UK. However, we will have a contract in place to ensure that your information is adequately protected and we will remain bound by our obligations under applicable UK data protection laws, even when your personal information is processed outside the EEA. The sorts of measures we use to protect your data in this instance are security reviews of the organisations' contractual model clauses approved for use by the European Commission or other approved transfer mechanisms, such as the Privacy Shield for transfers to the USA.

10 HOW LONG DO WE HOLD YOUR INFORMATION FOR?

Unless there is a specific regulatory or legal requirement for us to keep your information longer, we will only keep your information for as long as it is necessary for the purpose for which it was collected.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

11 YOUR RIGHTS

As a data subject you have a number of personal rights under data protection laws in relation to your personal data. These are:

1. **Subject access requests**-You have a right to access all personal data that we hold as a data controller.
2. **Right to be forgotten** - In certain circumstances you have a right to request that your personal data be erased from the systems within our control.
3. **Rectification** - You have a right to correct your personal data that we hold as a data controller.
4. **Withdraw consent** – Where we have offered you the right to consent to giving us your data, for instance with your marketing preferences, you have the right to withdraw your consent at any time.
5. **Objection and restriction of processing** - In certain circumstances, you have a right to object to or request we restrict our processing of your personal data.

If you would like more information about these rights or how to apply them, please contact us via phone or email.

12 COMPLAINTS

If you would like to make a complaint about our use of the personal data we hold about you, you should contact our Data Protection Officer at the details above. If we are not able to resolve your complaint within 10 working days, you can contact the UK data protection regulator, the Information Commissioner's Office (**ICO**) (www.ico.org.uk).

We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

13 CHANGES TO THIS PRIVACY POLICY

We may update this privacy policy from time to time. The revised policy will be posted to this page: [{{url\(\)->full\(\)}}](#)