

# PROCESSING NOTICE

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### 1. **IMPORTANT INFORMATION AND WHO WE ARE**

#### **Purpose of this Processing Notice**

This processing notice aims to give you information on how we collect and process your personal data in a variety of circumstances. It is important that you read this processing notice so that you are fully aware of how and why we are using your data.

#### **Controller**

The entity, which is the controller of, and responsible for, your personal data (referred to as **we, us or our** in this processing notice) will be:

- Fibrus Networks Ltd (company number NI612703) with its registered address at Lanyon Plaza, West Tower, 8 Lanyon Place, Belfast BT1 3LP; and/or
- Fibrus Networks GB Ltd (company number 13609662) with its registered office at c/o Buckingham Corporate Services Limited, First Floor, 85 Great Portland Street, London, W1W 7LT.

Each of the above companies, together with Fibrus Ltd and other companies controlled by, or under the control of, any of those entities form the “**Fibrus Group**” for the purposes of this processing notice.

If you have any questions about this processing notice (including any requests to exercise any of your legal rights) please contact us by emailing [legal@fibrus.com](mailto:legal@fibrus.com) or calling 028 90 993 230.

#### **Third-Party Links**

Our website may include links to third-party websites, plug-ins, and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the processing notice of every website you visit.

### 2. **THE DATA WE HOLD ABOUT YOU**

Personal data means any information about an individual from which that person can be identified. We may collect, use, store and transfer different kinds of personal data about you which we have grouped together follows:

- **Identity Data** includes first name, last name, image, online username or similar identifier, title, date of birth and other information assessed by our staff during and after pre-sale engagement.
- **Contact Data** includes email address, physical address (including Unique Property Reference Number and postcode) and telephone numbers.
- **Financial Data** includes bank account and payment card details.
- **Technical Data** includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access our website.
- **Usage Data** includes information about how you use our website and services (including any complaints and any breaches of our Acceptable Usage Policies) and any responses you provide to questions in our interaction surveys.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.

We do not collect any **Special Categories of Personal Data** about you (this includes details about your race or ethnicity,

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religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data) through use of the website or when otherwise dealing with or concerning you. Nor do we collect any information about criminal convictions and offences.

### If you fail to provide personal data

Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter with you (for example, to provide you with services). In this case, we may have to cancel a service you have with us, but we will notify you if this is the case at the time.

### Your Duty to Inform us of Changes

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

## 3. HOW IS YOUR PERSONAL DATA COLLECTED & USED?

We use different methods to collect personal data from and about you. The ways we collect it, what we collect and how and why we use that personal data is set out below:

| Personal Data Type   | Collection Method   | Basis of Use  | Purpose  |
|--|---|---|--|
| <b>Preliminary contact regarding entering into a contract with you</b>   |   |   |  |
| <ul style="list-style-type: none"> <li>Identity Data</li> <li>Contact Data</li> </ul>  | <ul style="list-style-type: none"> <li>Interactions instigated by you (including through social media, including through social media, our website and our Support telephone lines)</li> <li>Data capture forms</li> <li>Through entering competitions and promotions</li> </ul>  | <ul style="list-style-type: none"> <li>Consent</li> <li>Contract</li> <li>Legitimate Interests (to run our company)</li> </ul>                            | <ul style="list-style-type: none"> <li>To contact you</li> <li>To conduct pre-sale quality calls with you</li> <li>To register you as a customer or user</li> <li>To analyse and improve user relationships and interactions.</li> </ul>   |
| <ul style="list-style-type: none"> <li>Identity Data</li> <li>Contact Data</li> <li>Marketing Data</li> </ul>  | <ul style="list-style-type: none"> <li>Data capture forms</li> </ul>  | <ul style="list-style-type: none"> <li>Contract</li> </ul>  | <ul style="list-style-type: none"> <li>To contact you whenever your postcode comes within our network, to discuss providing you with services</li> </ul>   |
| <b>Entering into, and managing, our contract</b>   |   |   |  |
| <ul style="list-style-type: none"> <li>Identity Data</li> <li>Contact Data</li> <li>Financial Data</li> <li>Usage Data</li> <li>Marketing and Communications Data</li> </ul> | <ul style="list-style-type: none"> <li>Interactions instigated by you (including through social media, including through social media, our website and our Support telephone lines)</li> <li>From third parties like social media companies, advertising networks, review companies (such as TrustPilot), electronic payment providers, data aggregators or your employer.</li> </ul> | <ul style="list-style-type: none"> <li>Consent</li> <li>Contract</li> <li>Legitimate Interests (to run our company or deliver services to you)</li> </ul> | <ul style="list-style-type: none"> <li>To deliver our goods and services to you</li> <li>To manage our relationship</li> <li>To occasionally provide marketing content</li> <li>To display reviews, you have provided about us or our services on our website, social media pages and promotional material.</li> <li>To make our products and services available to you and perform any necessary installation work.</li> <li>To manage payments and charges</li> <li>To provide billing information to you</li> </ul> |

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|--|---|---|---|
|  |   |   | <ul style="list-style-type: none"> <li>Collecting and recovering money owed to us.</li> <li>To help you if you are struggling to pay your bills by referring you to debt organisations or charities that can provide free debt advice and support.</li> </ul>   |
| <ul style="list-style-type: none"> <li>Identity Data</li> </ul>                      | <ul style="list-style-type: none"> <li>From you</li> </ul>  | <ul style="list-style-type: none"> <li>Legitimate Interest (to gather reviews from our customers)</li> </ul>  | <ul style="list-style-type: none"> <li>To pass your contact details to review service providers (such as TrustPilot) to seek reviews of our goods and services</li> </ul>   |
| <ul style="list-style-type: none"> <li>Identity Data</li> </ul>                      | <ul style="list-style-type: none"> <li>From you</li> </ul>  | <ul style="list-style-type: none"> <li>Contract</li> </ul>  | <ul style="list-style-type: none"> <li>To get our install partners to contact you to arrange our installation</li> </ul>  |
| <ul style="list-style-type: none"> <li>Identity Data</li> </ul>                      | <ul style="list-style-type: none"> <li>From you</li> </ul>  | <ul style="list-style-type: none"> <li>Legitimate Interest (to be able to offer free installation to you with the help of government funding)</li> </ul>  | <ul style="list-style-type: none"> <li>To request a voucher from the Government Department for Digital, Media, Culture and Sport</li> </ul>   |
| <ul style="list-style-type: none"> <li>Receipt of eligible benefits</li> </ul>       | <ul style="list-style-type: none"> <li>From you</li> </ul>  | <ul style="list-style-type: none"> <li>Legitimate Interest (social tariffs)</li> </ul>  | <ul style="list-style-type: none"> <li>To confirm eligibility for our social tariffs.</li> </ul>  |
| <b>Technical information and cookies</b>   |   |   |   |
| <ul style="list-style-type: none"> <li>Technical Data</li> <li>Usage Data</li> </ul> | <ul style="list-style-type: none"> <li>Interaction with websites</li> <li>use of cookies</li> </ul> | <ul style="list-style-type: none"> <li>Legitimate interests (to administer our IT systems)</li> <li>Legitimate interests (to place cookies in accordance with our cookie policy, where consent is not required)</li> <li>Consent</li> </ul> | <ul style="list-style-type: none"> <li>To permit access to our Site</li> <li>To keep our online avenues working, up to date and effective</li> <li>To administer and protect our business and our website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)</li> <li>As otherwise described in our Cookie Policy</li> </ul> |
| <b>Ancillary processing</b>  |   |   |   |
| <ul style="list-style-type: none"> <li>any of the above</li> </ul>                   | <ul style="list-style-type: none"> <li>as above</li> </ul>  | <ul style="list-style-type: none"> <li>Legitimate interests (to protect and run our company)</li> <li>Compliance with law</li> </ul>  | <ul style="list-style-type: none"> <li>To anonymise and aggregate so that your information is no longer personal data and can be used outside as described in this Processing Notice</li> <li>Ancillary purposes, such as back-ups and archiving</li> <li>Dealing with legal obligations (such as compliance with tax law, identity verification requirements and</li> </ul>              |

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|  |  |  | preparing company accounts) and disputes |
|--|--|--|--|

Please note that the above lists are non-exhaustive. We will generally only use your Personal Data for the purposes for which we collected it, unless permitted by law or we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your Personal Data for an unrelated and incompatible purpose, we will notify you where necessary and we will explain the legal basis which allows us to do so. Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law. Where we rely on legitimate interest, you can contact us for more details on the consideration of these interests.

### NOTE:

**Legitimate Interest** can mean our interest or the interest of another party. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law).

### Consent

Whenever we rely on your consent (as noted above), you have the right to revoke such consent at any time by emailing [legal@fibrus.com](mailto:legal@fibrus.com). Unless another basis of use exists, we will collect your consent to use your personal data for our marketing and remarketing purposes generally by using tickboxes or where your actions clearly demonstrate your consent (such as by providing your contact details for a specified purpose).

### Marketing

If you are a customer of ours, we may contact you from time to time by call or email to provide some information about our products or services. You can ask us or third parties to stop sending you marketing messages at any time by following the opt-out links on any marketing message sent to you or by contacting us, as appropriate, at any time. Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of a service experience or other transactions.

We will get your express opt-in consent before we share your personal data with any company outside of our own for marketing unrelated to our company.

## 4. DISCLOSURES OF YOUR PERSONAL DATA

We may have to share your personal data with the parties (all established in the UK or EEA unless otherwise stated) set out below for the purposes set out in the table in paragraph 4 above:

- between members of the Fibrus Group and its owners.
- third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this processing notice.
- HM Revenue & Customs, regulators and other authorities who require reporting of processing activities in certain circumstances.
- professional advisers including lawyers, bankers, auditors, and insurers based in the European Union or United Kingdom who provide consultancy, banking, legal, insurance and accounting services.
- service providers and our contractors (each of whom may have processors or sub-processors) including (as at the date noted above and who may be updated from time to time): review website providers (such as TrustPilot); our installation partners and wayleave agents (including Entegro; Charles Brand; Viberoptix; KN Circet; Holm Networks; electricity Worx; H&J Martin; Dalcour Maclaren); our IT suppliers and support partners (including B4B; Sysco Software Solutions; and GoCardless);
- other parties where you ask us to share that data, or we ask you and you consent.
- appointed specialist organisations to provide documents in an accessible format, this could include for example brail/audio CD documents from RNIB.
- appointed debt recovery and collection specialist (Miller James Limited).
- appointed credit check and reporting services (CreditSafe).
- government agencies/departments such as Department of Work and Pensions to confirm eligibility for our social tariffs.

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- Digital communication platforms (Geness IVR and Hootsuite) to communicate with you regarding any matters you bring to our attention or ask about (including social media).
- appointed organisations who will act on behalf of Fibrus to process door to door and desk bases sales (FMI)

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

### 5. INTERNATIONAL TRANSFERS

We do not generally transfer your personal data outside the UK other than to the EEA.

Where we do make such transfers outside those jurisdictions, transfers to the following jurisdictions are permissible without any additional measures as each has been determined by the UK Government to be a jurisdiction of adequate protection ([further details](#)): the EEA; Andorra; Argentina; Faroe Islands; Guernsey; Isle of Man; Israel; Jersey; New Zealand; Switzerland; Uruguay, and (subject to some exemptions): Japan; and Canada.

Where recipients are based in other jurisdictions, we ensure that a similar degree of protection is enforced as is required within the UK by ensuring that the recipients use and are bound by standard contractual clauses which may be enforceable by you regarding data protection (as well applying appropriate additional security measures). Those standard clauses we use most often are the International Data Transfer Agreement as published by the UK ICO or the EU Standard Contractual Clauses.

Occasionally, we rely on other legislative exemptions to justify making international transfers. However, this is not done regularly.

### 6. DATA SECURITY

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used, or accessed in an unauthorised way, altered or disclosed. We have also 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. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions, and they are subject to a duty of confidentiality. Please contact us if you would like more information regarding the security measures we use.

### 7. DATA RETENTION

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

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, how long a legal claim may be taken and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for other purposes, in which case we may use this information indefinitely without further notice to you.

### 8. YOUR LEGAL RIGHTS

Under certain circumstances, you have rights under data protection laws in relation to your personal data. You have the right to:

- **Request access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you.
- **Request correction** of the personal data that we hold about you. This enables you to have any incomplete or

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inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

- **Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it, where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
- **Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
- **Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- **Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.
- **Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

If you wish to exercise any of the rights set out above, please contact us. Note, however, that we may not always be able to comply with your request for specific legal or compelling legitimate reasons which will be notified to you, if applicable, at the time of your request.

### **No fee usually required.**

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

### **What we may need from you**

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

### **Time limit to respond.**

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or we receive several requests. In this case, we will notify you and keep you updated.

### **Supervisory Authority Contact**

You have the right to make a complaint at any time to the Information Commissioner's Office (**ICO**), the UK supervisory authority for data protection issues ([www.ico.org.uk](http://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.