

Pentacom Preparation in readiness for the General Data Protection Regulation (GDPR) January 2018.

The law surrounding data protection is changing.

Under the General Data Protection Regulations 2018, we are under a duty to notify you about how any personal information we may possess is used, stored and processed.

This document forms part of our Privacy Notice. The purpose of our Privacy Notice is to inform individuals and organisations whom we interact with about our lawful basis for processing your personal data. There is no requirement for you to respond.

In preparation for the GDPR, Pentacom has undertaken a review of its Data Protection Policies, Processes, Practices and Infrastructure to ensure we are safeguarding the personal information we have in our possession. Our review has also been carried out to ensure that any information we possess about you is processed transparently, fairly and lawfully. The outcome of Pentacom's review has been recorded and will be made available to the Information Commissioners Office (ICO) if required to do so by them.

Pentacom has reviewed the purposes of our processing activities and identified the lawful basis upon which each of our activities relies. This is to ensure compliance with the GDPR. We have checked that any processing of information is necessary to achieve the purpose for which it has been collected and safeguards have been put in place to ensure that the processing could not be achieved by a less intrusive way.

We are maintaining records detailing our decision-making processes to demonstrate compliance for both Personal data and Sensitive data which will be made available to the ICO if required.

You have certain rights in relation to your data as set out under the GDPR. If you are unsure about the most current position in relation to your rights you can check this directly by going to www.ico.org.uk. Which is the ICO website. In summary this includes the right to erasure, portability and object to processing of your personal data in limited circumstances. Upon consideration of our processes it is unlikely that the applicable circumstances will apply however we notify you for completeness.

Pentacom's Data Protection Statement

We are Pentacom Networks Limited, the data controller. Being a small business, we do not have an appointed Data Protection Officer. Any information or requests relating to data Protection should be marked for the attention of Gary Jones, Pentacom Networks, Rushleigh House, Rushleigh Road, Majors Green, Worcestershire, B90 1DG.

Whether or not you become a customer of Pentacom Networks, we will use your data for the reasons set out below. If you do become a customer we will use it to manage your Telecommunications Site. for clarity 'manage' includes any access approvals, negotiating with operators (to include contractors acting on operator's behalf), marketing your site to potential operators, dealing with the financial aspects of your site (if you have opted for us to manage your funds), corresponding with third parties to give effect to agreements reached with operators.

We will likely collect most of this information directly, there may be some information we ascertain in directly from other sources, such as operators. The personal information we use may include: -

- a. Full name and personal details including contact information
- b. Date of birth and or age
- c. Financial details
- d. Records of past agreements or correspondence you have had with operators or other third parties in relation to your telecommunications site.

Providing your personal data

We will inform you if providing personal information is optional and will specifically request your consent to process it.

Subject to applicable laws, we'll monitor and record your records your call, emails, text messages, social media messages, and other communications in relation to dealings with us. We'll do this for regulatory compliance, self-regulatory, practices, crime prevention and detection.

Using your personal data: Legal basis and purposes

We will use your personal data:

1. As necessary to perform our contract with you for the management of your site
 - a. To take steps at your request before entering into contracts with us
 - b. To decide whether to enter into a contract
 - c. To manage and perform that contract
 - d. To update our records
2. As necessary for our own legitimate interests or those of other persons and organisations for example: -
 - a. For good governance, accounting and managing and auditing our business
 - b. To send you marketing communications which may benefit you.
3. As necessary to comply with legal obligations
 - a. When you exercise your rights under data protection law and make requests;
 - b. For compliance with legal and regulatory requirements and related disclosures
 - c. For establishment and defence of legal rights;
 - d. For activities relating to the prevention, detection and investigation of a crime;
4. Based on your consent
 - a. When you request us to disclose your personal data to other people or organisations such as operators in order to make financial payments
 - b. When we process any special categories of personal data about you at your request. For example, details of any data concerning your health.

You are free at any time to change your mind and withdraw your consent. The consequence might be that we are not able to perform certain tasks for you.

Sharing of personal data

Subcontractors and other persons who help us to provide our services to you and manage your site effectively. An example of these include: -

- a. Our legal and other professional advisors, including our auditors;
- b. Fraud prevention agencies.
- c. Government bodies and agencies in the UK and overseas
- d. Courts, to comply with legal requirements and for the administration of justice.
- e. In an emergency or otherwise to protect your vital interests.
- f. To protect security or integrity of our business.
- g. To other parties connected with your telecommunications site
- h. When we restructure or sell our business or its assets or have a merger or re organisation.
- i. Banking institutions
- j. Anyone else where we have we have your consent or where it is required by law

Criteria used to determine retention periods (whether or not you become a client)

- a. Retention in case of queries – We will retain your personal data as long as necessary to deal with your queries.
- b. Retention in case of claims – We will retain your personal data for as long as you might legally bring claims against us; and
- c. Retention in accordance with legal and regulatory requirements.

Your rights

This section lists the various data protection rights that you have. Your personal data is protected under Data Protection legislation, and as a consequence you have a number of rights that you can enforce against us as your Data Controller. Please note that these rights do not apply in all circumstances. Your rights include:

- 1. The right to be informed - including about how we might process your personal data.
- 2. To have your personal data corrected if it is inaccurate and to have incomplete personal data completed in certain circumstances.

3. The right (in some cases) to object to processing of your personal data (as relevant). This right allows individuals in certain circumstances to object to processing based on legitimate interests, direct marketing (including profiling) and processing for purposes of statistics.

4. The right in some cases to restrict processing of your personal data, for instance where you contest it as being inaccurate (until the accuracy is verified); where you consider that the processing is unlawful and where this is the case; and where you request that our use of it is restricted; or where we no longer need the personal data.

5. The right to have your personal data erased in certain circumstances (also known as the 'right to be forgotten'). This right is not absolute – it applies only in particular circumstances, and where it does not apply, any request for erasure will be rejected. Circumstances when it might apply include: where the personal data is no longer necessary in relation to the purpose for which it was originally collected/processed; if the processing is based on consent which you subsequently withdraw; when there is no overriding legitimate interest for continuing the processing; if the personal data is unlawfully processed; or if the personal data has to be erased to comply with a legal obligation. Requests for erasure will be refused where that is lawful and permitted under Data Protection law, for instance where the personal data has to be retained to comply with legal obligations, or to exercise or defend legal claims.

6. To request access to the personal data held about you and to obtain certain prescribed information about how we process it. This is more commonly known as submitting a 'data subject access request'. This must be done in writing. This right will enable you to obtain confirmation that your personal data is being processed, to obtain access to it, and to obtain other supplementary information about how it is processed. In this way you can be aware of, and you can verify, the lawfulness of our processing of your personal data.

7. To move, copy or transfer certain personal data. Also known as 'data portability'. You can do this where we are processing your personal data based on consent or a contract and by automated means. Please note that this right is different from the right of access (see above), and that the types of data you can obtain under these two separate rights may be different. You are not able to obtain through the data portability right all of the personal data that you can obtain through the right of access (Your right to data portability is not available until 25 May 2018).

8. Rights in relation to some automated decision-making about you, including profiling (as relevant) if this has a legal or other significant effect on you as an individual. This right allows individuals, in certain circumstances, to access certain safeguards against the risk that a potentially damaging decision is taken without human intervention. Pentacom does not adopt automated decision-making processes and this has been included for completeness.

9. To complain to the Information Commissioner's Office (ICO), the UK's independent body empowered to investigate whether we are complying with the Data Protection law. You can do this if you consider that we have infringed the legislation in any way. You can visit ico.org.uk for more information. If you seek to exercise any of your rights against us we'll explain whether or not that or those rights do or don't apply to you with reference to the above and based on the precise circumstances of your request.

If you require any further information relating to Data Protection in general this can be found at ico.org.uk