



## **MBNL Landlord Privacy Notice**

This notice sets out how we handle landlord personal data as part of our General Data Protection policies (GDPR).



## SUMMARY

This Privacy Notice applies to:

- users of our website who submit general enquiries
- individuals who make an enquiry to, or interact with, MBNL
- landlords of electronic communications sites on which network equipment of MBNL, EE and/or H3G is located, installed or used ("**Landlords**")
- individual contacts at our suppliers or individual suppliers ("**Suppliers**")

We process your Personal Data to respond to general enquiries sent to MBNL and to manage our relationship with Landlords and Suppliers.

This Privacy Notice explains what Personal Data we process, why, how it is legal and your rights.

## ABOUT US AND THIS PRIVACY NOTICE

This Privacy Notice is provided by Mobile Broadband Network Limited ("**MBNL**" or "**we**" or "**us**") at 6<sup>th</sup> floor, Thames Tower, Station Road, Reading RG1 1LX who is a 'controller' for the purposes of the Data Protection Laws.

We are responsible for, and control the processing of, your Personal Data.

We take your privacy very seriously. We ask that you read this Privacy Notice carefully as it contains important information about our processing of your Personal Data and your rights.

### How to contact us

If you need to contact us about this Privacy Notice or would like this Privacy Notice in another format (for example, audio, large print, braille), please use the details below:

**Privacy Owner:** Jonathan Waltho  
**Address:** 6th floor, Thames Tower, Station Road, Reading RG1 1LX  
**Telephone number:** 07498174971  
**Email:** Jonathan.Waltho@mbnl.co.uk

### Changes to this Privacy Notice

The latest version of the Privacy Notice can be found at <https://mbnl.co.uk/>

We may change this Privacy Notice from time to time. We will alert you on the website when changes are made or e mail you if the change affects you.

Current version: v1 May 2018.

### USEFUL WORDS AND PHRASES

Please familiarise yourself with the following words and phrases as they have particular meanings in the Data Protection Laws and are used throughout this Privacy Notice:

<b>Controller</b>	means any person who determines the purposes for which, and the manner in which, any Personal Data is Processed
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<b>Criminal Offence Data</b>	means any information relating to criminal convictions and offences committed or allegedly committed
<b>Data Protection Laws</b>	means the laws which govern the handling of Personal Data. This includes the General Data Protection Regulation (EU) 2016/679 and any other national laws supplementing that Regulation or related to data protection
<b>Data Subject</b>	means the person to whom the Personal Data relates
<b>ICO</b>	means the UK Information Commissioner's Office which is responsible for implementing, overseeing and enforcing the Data Protection Laws
<b>Personal Data</b>	means any information from which a living individual can be identified. This will include information such as telephone numbers, names, addresses, e-mail addresses, photographs and voice recordings. It will also include expressions of opinion and indications of intentions about Data Subjects (and their own expressions of opinion/intentions). It will also cover information which on its own does not identify someone but which would identify them if put together with other information which we have or are likely to have in the future
<b>Processing</b>	covers virtually anything anyone can do with Personal Data, including: <ul style="list-style-type: none"> <li>• obtaining, recording, retrieving, consulting or holding it</li> <li>• organising, adapting or altering it</li> <li>• disclosing, disseminating or otherwise making it available</li> <li>• aligning, blocking, erasing or destroying it</li> </ul>
<b>Processor</b>	means any person who Processes the Personal Data on behalf of the controller
<b>Special Categories of Data</b>	means any information relating to: <ul style="list-style-type: none"> <li>• racial or ethnic origin</li> <li>• political opinions</li> <li>• religious beliefs or beliefs of a similar nature</li> <li>• trade union membership</li> <li>• physical or mental health or condition</li> <li>• sexual life</li> <li>• genetic data or biometric data for the purpose of uniquely identifying you</li> </ul>

## WHAT INFORMATION DO WE COLLECT?

We Process Personal Data for each service/process as explained below.

### Personal Data provided by you

	Personal Data
<b>General enquiries to MBNL:</b>	<ul style="list-style-type: none"> <li>• Name</li> <li>• Contact details (address, phone number, email address)</li> <li>• Details of the enquiry</li> </ul>
<b>Landlords and Suppliers:</b>	<ul style="list-style-type: none"> <li>• Name</li> </ul>

	<ul style="list-style-type: none"> <li>• Contact details (address, phone number, email address)</li> <li>• Leasehold property address (if you are a Landlord or potential Landlord)</li> <li>• Account details for payment purposes</li> </ul>
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We do not actively request for Special Categories of Data or Criminal Offence Data. However, we may come across them if you provide such data to us.

EE Limited and Hutchison 3G UK Limited, with whom Landlords have a lease agreement, sometimes provide Personal Data to MBNL because MBNL manages sites on their behalf.

### Personal Data about other individuals

If you provide us with information about other individuals, you confirm that you have informed the relevant individuals accordingly.

### WHY DO WE PROCESS YOUR PERSONAL DATA?

We use your Personal Data to:

- interact with you;
- assist and respond to enquiries about MBNL and our business;
- install and manage network equipment at Landlords' or site-providers' sites;
- manage the contracts or 'business relationships we have with you; and
- approach you as a potential Landlord.

We are allowed to do Process Personal Data on certain legal bases (please see section 'How is processing your data lawful' for further detail).

### HOW IS PROCESSING YOUR PERSONAL DATA LAWFUL?

We are allowed to Process your Personal Data and Special Categories of Data on the following legal bases:

	Legal basis
<b>General enquiries to MBNL and interaction with MBNL</b>	<p><b>Legitimate Interest:</b> We are permitted to process your Personal Data if it is based on our 'legitimate interests' i.e. we have good, sensible, practical reasons for Processing your Personal Data which is in the interest of MBNL. To do so, we have considered the impact on your interests and rights, and have placed appropriate safeguards to ensure that the intrusion on your privacy is reduced as much as possible. In this case, MBNL's legitimate interest is to respond to enquiries made to MBNL which may relate to its business activities. We only use data that you provide and only use your data in order to respond to your query. In addition, we may use your data to approach you as a potential Landlord to MBNL.</p> <p>You can object to any of the Processing that we carry out on the grounds of legitimate interests. See the section headed "Your Rights" to find out how.</p>
<b>Landlords and Suppliers</b>	<p><b>Contract:</b> As agents of EE Limited and Hutchison 3G UK Limited, processing Landlords' Personal Data is necessary for the performance of our services, to which the Landlords have agreed</p>



	<p>in the contract they have entered into with EE Limited and Hutchison 3G UK Limited.</p> <p>If you are a Supplier, then we may process personal data as necessary for the performance of the contract between us.</p> <p>If you do not provide your Personal Data to us, we will not be able to carry out our obligations or exercise our rights under the terms of the contract.</p>
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**WHO WILL HAVE ACCESS TO YOUR PERSONAL DATA?**

The table below lists some of our key service providers that act as our Processors who will have access to your Personal Data. We also use suppliers who need to access a Landlord's site in connection with services they provide to us (for example site/field maintenance providers can access name and contact information in order to arrange access to a Landlord's site). If you would like a list of the key suppliers, please contact us (see section "How to Contact Us").

Processors	Personal Data
GVA Grimley Limited	Landlord name and contact details (address, phone number, email address), bank account details
Crown (hosts site data on Orange leases)	Landlord name and contact details (address, phone number, email address),
Ericsson Limited – Storage solution provider	Landlord name, contact details (address, phone number, email address) and bank account details

**Transfers of your Personal Data outside the EEA**

As part of the IT support we receive from Ericsson India Global Services PVT Limited, we transfer your **personal data** to a country located outside the European Economic Area. Such transfer of your data will be carried out in accordance with the **Data Protection Laws** to safeguard your privacy rights and give you remedies in the unlikely event of a security breach or to any other similar approved mechanisms. If you want to know more about how **personal data** is transferred, please contact us using the details in the section headed "How to Contact Us".

**How we keep your personal data secure**

We strive to implement appropriate technical and organisational measures in order to protect your Personal Data against accidental or unlawful destruction, accidental loss or alteration, unauthorised disclosure or access and any other unlawful forms of processing. We aim to ensure that the level of security and the measures adopted to protect your Personal Data are appropriate for the risks presented by the nature and use of your Personal Data. We follow recognised industry practices for protecting our IT environment and physical facilities (for example, ISO 27001).

If you have any particular concerns about your information, please contact us (see 'How to contact us?' above).



## WHEN WILL WE DELETE YOUR DATA?

We will retain your Personal Data for the period provided below.

Personal Data	Retention period
<b>Details of enquiries and our response</b>	For potential Landlords who contact us asking if we wish to put a site on their property a period of 2 years from the date of the enquiry to MBNL  For general enquiries 6 months after the enquiry has been satisfactorily resolved
<b>Landlords</b>	During the lease and for 6 years after the lease expires
<b>Suppliers</b>	During the contract and for 6 years after the contract terminates or expires if the contract is with you. During the contract and for as long as you are a contact at the relevant supplier entity.
<b>Potential landlords</b>	For potential landlords who we contact for access to survey a property to see if it is suitable for electronic communications equipment, a period of 2 years from the date of the site access request made by or on behalf of MBNL

## YOUR RIGHTS

As a Data Subject, you have the following rights under the Data Protection Laws:

Your right	Description
<b>Right to object to processing of your personal data</b>	You may object to us Processing your Personal Data where we rely on a legitimate interest as our legal grounds for processing.  If you object to us processing your Personal Data, we must demonstrate compelling grounds for continuing to do so.  We believe we have demonstrated compelling grounds in the section headed "How Is Processing Your Data Lawful".
<b>Right to access Personal Data relating to you</b>	You may ask to see what Personal Data we hold about you and be provided with: <ul style="list-style-type: none"><li>• a copy</li><li>• details of the purpose for which it is being or is to be Processed</li><li>• details of the recipients or classes of recipients to whom it is or may be disclosed, including if they are overseas and what protections are used for those oversea transfers</li><li>• the period for which it is held (or the criteria we use to determine how long it is held)</li><li>• any information available about the source of that Personal Data</li><li>• whether we carry out an automated decision-making, or profiling, and where we do information about the logic involved and the envisaged outcome or consequences of that</li></ul>



Your right	Description
	<p>decision or profiling</p> <p>To help us find the information easily, please provide us as much information as possible about the type of information you would like to see.</p>
<p><b>Right to correct any mistakes in your Personal Data</b></p>	<p>You can require us to correct any mistakes in your Personal Data which we hold free of charge.</p> <p>If you would like to do this, please let us know the Personal Data that is incorrect and what it should be replaced with.</p>
<p><b>Rights in relation to automated decision making</b></p>	<p>We do not make any automated decisions about you, so this right does not apply.</p>
<p><b>Right to restrict processing of Personal Data</b></p>	<p>You may request that we stop Processing your Personal Data temporarily if:</p> <ul style="list-style-type: none"> <li>• you do not think that your Personal Data is accurate. We will start Processing again once we have checked whether or not it is accurate</li> <li>• the Processing is unlawful, but you do not want us to erase your Personal Data</li> <li>• we no longer need the Personal Data for our Processing, but you need the Personal Data to establish, exercise or defend legal claims</li> <li>• you have objected to Processing because you believe that your interests should override our legitimate interests</li> </ul>
<p><b>Right to have your Personal Data ported (data portability)</b></p>	<p>You may ask for an electronic copy of your Personal Data which we hold electronically and which you have provided to us when we entered into a contract with you.</p> <p>You can also ask us to provide this directly to another party.</p>
<p><b>Right to erasure</b></p>	<p>You can ask us to erase your Personal Data where:</p> <ul style="list-style-type: none"> <li>• you do not believe that we need your Personal Data in order to Process it for the purposes set out in this Privacy Notice</li> <li>• if you had given us consent to Process your Personal Data, you withdraw that consent and we cannot otherwise legally process your Process Data</li> <li>• you object to our Processing and we do not have any legitimate interests that mean we can continue to Process your Personal Data</li> <li>• your Personal Data has been processed unlawfully or has not been erased when it should have been</li> </ul>

If you have any comments, concerns or complaints about the use of your Personal Data by us, please contact us (please refer to section "How to contact us").

We will respond to any rights that you exercise within a month of receiving your request, unless the request is particularly complex, in which case we will respond within 3 months.

Please be aware that there are exceptions and exemptions that apply to some of the rights which we will apply in accordance with the Data Protection Laws.



**What will happen if your rights are breached?**

You may be entitled to compensation for damage caused by contravention of the Data Protection Laws.

**Complaints to the regulator**

It is important that you ensure you have read this Privacy Notice - and if you do not think that we have Processed your Personal Data in accordance with this Privacy Notice - you should let us know as soon as possible.

Similarly, you may complain to the ICO. Information about how to do this is available on the website at [www.ico.org.uk](http://www.ico.org.uk).






## Document Information

<b>Doc. Name</b>	MBNL Landlord Privacy Notice
<b>Prepared by</b>	Eve Hartley
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<b>Document Owner</b>	Jonathan Waltho

## Updates

<b>Revision</b>	<b>Date</b>	<b>Updated By</b>	<b>Changes</b>
1.0	1 May 2018	Eve Hartley	Created initial version
1.1	February 2020	Eliza Jasinska	Contact details update

## Document approvals

<b>Name</b>	<b>Position</b>	<b>Date</b>	<b>Signature</b>
Pat Coxen	Managing Director, MBNL	1 May 2018	
Eve Hartley	Head of Legal	1 May 2018	<i>Eve Hartley</i>
Jonathan Waltho	Deputy General Counsel and Head of Legal (Commercial & Governance)	February 2020	<i>Jonathan Waltho</i>

