



Version 1 – 01st February 2020

1. Introduction

- 1.1.** *We are committed to safeguarding the privacy of our clients, potential clients, suppliers or other parties.*
- 1.2.** *This policy applies where we are acting as a data controller with respect to the personal data of our clients, potential clients, suppliers or other parties whose data we may collect in the normal course of business; in other words, where we determine the purposes and means of the processing of that personal data where:*
 - 1.2.1.** *Processing is necessary to meet contractual obligations entered into by the data subject*
 - 1.2.2.** *Processing is necessary to comply with legal obligations of the controller*
 - 1.2.3.** *Processing is for the purposes of legitimate interests pursued by the controller*
- 1.3.** *We will ask you to consent to our use of cookies in accordance with the terms of the Privacy & Cookie policies when you visit our website.*
- 1.4.** *Our website incorporates privacy controls which affect how we will process your personal data. By using the privacy controls, you can specify whether you would like to receive direct marketing communications and limit the publication of your information. You can access the privacy controls via www.industrious.energy/privacy-controls/.*
- 1.5.** *In this policy, “we”, “us” and “our” refer to Industrious Energy.*

2. How we use your personal data

- 2.1.** *In this Section we have set out:*
 - 2.1.1.** *the general categories of personal data that we may process;*
 - 2.1.2.** *the purposes for which we may process personal data; and*
 - 2.1.3.** *the legal bases of the processing*
- 2.2.** *We may process data about your use of our website and services (“website usage data”). The usage data may include:*
 - 2.2.1.** *your IP address;*
 - 2.2.2.** *geographical location;*
 - 2.2.3.** *browser type and version;*
 - 2.2.4.** *operating system;*
 - 2.2.5.** *referral source;*
 - 2.2.6.** *length of visit;*



- 2.2.7.** *page views and;*
- 2.2.8.** *website navigation paths*

As well as information about the timing, frequency and pattern of your service use.

This website usage data may be processed for the purposes of analysing the use of the website and services. The legal basis for this processing is our legitimate interests, namely monitoring and improving our website experience and services.

- 2.3.** *We may process your account data (“account data”). The account data may include your name and email address. The account data may be processed for the purposes of operating our website, providing our services, ensuring the security of our website and services, maintaining back-ups of our databases and communicating with you. The legal basis for this processing is the performance of a contract between you and us and/or taking steps, at your request, to enter into such a contract.*
- 2.4.** *We may process your personal data that are provided in the course of the use of our services (“service data”). The service data may be processed for the purposes of operating our website, providing our services, ensuring the security of our website and services, maintaining back-ups of our databases and communicating with you. The legal basis for this processing is the performance of a contract between you and us and/or taking steps, at your request, to enter into such a contract.*
- 2.5.** *We may process information contained in any enquiry you submit to us regarding goods and/or services (“prospect data”). The data may be processed for the purposes of offering, marketing and selling relevant goods and/or services to you. The legal basis for this processing is consent.*
- 2.6.** *We may process data sourced from a 3rd party supplier (“prospect data”), relating to an individual that has an interest in buying energy and managing their energy effectively. The data may be processed for the purposes of offering, marketing and selling relevant goods and/or services. Individuals associated with energy spend within businesses have an expectation that Industrious Energy will communicate with them – offering to provide value through Industrious Energy’s products and services. The legal basis for this processing is our legitimate interests, namely as a third-party intermediary for business utilities and energy Services, Industrious Energy will contact business within the UK in order to provide energy management, broker energy procurement and associated services for their business needs.*
- 2.7.** *We may process information relating to transactions, including purchases of goods and services, that you enter into with us and/or through our website (“transaction data”). Our website provides price comparison services for energy. We will collect transaction data from you when you access our price comparison services. The transaction data may include your contact details and the transaction details. The transaction data may be processed for the purpose of supplying the purchased goods and services and keeping proper records of those*



transactions. The legal basis for this processing is the performance of a contract between you and us, to provide you with a realistic indication of prices available to you and/or taking steps, at your request, to enter into such a contract and our legitimate interests, namely our interest in the proper administration of our website and business.

When you access our price comparison services via our website, we may use your contact details to call or email you about your quote and advise you of alternative products and services that may be suitable for you. You can opt-out of this service at any time by clicking on this link, which will allow you to manage your contact preferences.

Manage your data

- 2.8.** *We may process your personal data that are provided in the course of employment (“employee data”) details are contained within its own privacy notice.*
- 2.9.** *We may process information that you provide to us for the purpose of subscribing to our email notifications and/or newsletters (“marketing data”). The data may be processed for the purposes of sending you the relevant notifications and/or newsletters. The legal basis for this processing is consent*
- 2.10.** *We may process information contained in or relating to any communication that you send to us (“correspondence data”). The correspondence data may include the communication content and metadata associated with the communication. Our website will generate the metadata associated with communications made using the website contact forms. The correspondence data may be processed for the purposes of communicating with you and record-keeping. The legal basis for this processing is our legitimate interests, namely the proper administration of our website and business and communications with users.*
- 2.11.** *We may process any of your personal data identified in this policy where necessary for the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure. The legal basis for this processing is our legitimate interests, namely the protection and assertion of our legal rights, your legal rights and the legal rights of others.*
- 2.12.** *We may process any of your personal data identified in this policy where necessary for the purposes of obtaining or maintaining insurance coverage, managing risks, or obtaining professional advice. The legal basis for this processing is our legitimate interests, namely the proper protection of our business against risks.*
- 2.13.** *In addition to the specific purposes for which we may process your personal data set out in this Section, we may also process any of your personal data where such processing is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another natural person.*



2.14. *Please do not supply any other person's personal data to us, unless we prompt you to do so.*

3. Providing your personal data to others

3.1. *We may disclose your personal data to any member of our group of companies (this means our subsidiaries, our ultimate holding company and all its subsidiaries) insofar as reasonably necessary for the purposes, and on the legal bases, set out in this policy.*

3.2. *We may disclose your personal data to a regulatory authority (such as Ofgem) or the police in the course of meeting a supply licence requirement or in matters relating to fraud prevention, detection or other legal concerns.*

3.3. *We may disclose your personal data to our insurers and/or professional advisers insofar as reasonably necessary for the purposes of obtaining or maintaining insurance coverage, managing risks, obtaining professional advice, or the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure.*

3.4. *We may disclose personal data to our suppliers or subcontractors insofar as reasonably necessary for the performance of a contract between you and us and/or taking steps, at your request, to enter into such a contract. When using our online price comparison service, we provide your personal information to the suppliers whose products and services are listed on our websites and apps to help them provide quotes and to carry out your switch. When you buy products or services from these suppliers, their own privacy policies will apply to how they use your personal information.*

3.5. *In addition to the specific disclosures of personal data set out in this Section, we may disclose your personal data where such disclosure is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another natural person. We may also disclose your personal data where such disclosure is necessary for the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure.*

4. International transfers of your personal data

In this Section, we provide information about the circumstances in which your personal data may be transferred to countries outside the European Economic Area (EEA).

4.1. *You acknowledge that personal data that you submit for publication through our website or services may be available, via the internet, around the world. We cannot prevent the use (or misuse) of such personal data by others.*

5. Safeguarding, retaining and deleting personal data

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This Section sets out our data safeguarding and retention policies and procedure, which are designed to help ensure that we comply with our legal obligations in relation to the retention and deletion of personal data.

5.1. Safeguarding protocols:

5.1.1. Personal Data is kept to an absolute minimum, we do not hold any data that is not required to support the legitimate Interest of our business and those of our clients

5.1.2. Data as a default will be encrypted and transferred securely when in transit

5.1.3. The Physical environment is secured with controlled, limited access via a card pass for just those with authorized access

5.1.4. Access to applications and sets of data is controlled by managed rights

5.1.5. Firewall and antivirus / malware software are deployed

5.1.6. Obfuscation and Anonymisation techniques are used where possible

5.1.7. Data Retention and Destruction policies are in place

5.1.8. Removal of personal data capabilities are provided

5.1.9. Data Breach policy and procedures are in place

5.2. Personal data that we process for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.

5.3. We will retain your personal data as follows

5.3.1. 'Website usage data' is retained for 2 years.

5.3.2. 'Account data' is retained as part of ongoing business with active clients. Industrious Energy also retains 'account data' for 6 years for terminated clients to comply with financial legislation.

5.3.3. 'Service data' is retained as part of ongoing business with active clients. Industrious Energy also retains 'service data' for 6 years for terminated clients to comply with financial legislation.

5.3.4. 'Prospect data' is retained as part of ongoing business with active clients. Industrious Energy also retains 'prospect data' for 6 years for terminated clients as it is in Industrious Energy's legitimate interests, namely the proper defense of the business against possible litigation. This includes but is not limited to fraud.

5.3.5. 'Transaction data' is retained as part of ongoing business with active clients. Industrious Energy also retains 'transaction data' for 6 years for terminated clients to comply with financial legislation.



5.3.6. 'Marketing data' is retained as part of ongoing business with active clients. Industrious Energy also retains 'marketing data' for 2 years for non-client contacts.

5.3.7. 'Correspondence data' is not retained beyond exit.

5.3.8. 'Employee data' is retained for up to 7 years, to comply with our legal obligation details are contained within our employee privacy notice.

5.4. Notwithstanding the other provisions of this Section, we may retain your personal data where such retention is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another natural person.

6. Your rights

6.1. In this Section, we have summarised the rights that you have under data protection law. Some of the rights are complex, and not all of the details have been included in our summaries. Accordingly, you should read the relevant laws and guidance from the regulatory authorities for a full explanation of these rights.

6.2. Your principal rights under data protection law are:

6.2.1. the right to access;

6.2.2. the right to rectification;

6.2.3. the right to erasure;

6.2.4. the right to restrict processing;

6.2.5. the right to object to processing;

6.2.6. the right to data portability;

6.2.7. the right to complain to a supervisory authority; and

6.2.8. the right to withdraw consent.

6.3. You have the right to confirmation as to whether or not we process your personal data and, where we do, access to the personal data, together with certain additional information. That additional information includes details of the purposes of the processing, the categories of personal data concerned and the recipients of the personal data. Providing the rights and freedoms of others are not affected, we will supply to you a copy of your personal data. The first copy will be provided free of charge, but additional copies may be subject to a reasonable fee. You can request access your personal data by visiting www.IndustriousEnergy.com/privacy-controls/

6.4. You have the right to have any inaccurate personal data about you rectified and, taking into account the purposes of the processing, to have any incomplete personal data about you completed.

6.5. In some circumstances you have the right to the erasure of your personal data without undue delay. Those circumstances include

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- 6.5.1. *The personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;*
- 6.5.2. *you withdraw consent to consent-based processing;*
- 6.5.3. *you object to the processing under certain rules of applicable data protection law;*
- 6.5.4. *the processing is for direct marketing purposes;*
- 6.5.5. *and the personal data have been unlawfully processed.*

However, there are exclusions of the right to erasure. The general exclusions include where processing is necessary:

- *for exercising the right of freedom of expression and information;*
- *for compliance with a legal obligation;*
- *or for the establishment, exercise or defence of legal claims.*

6.6. *In some circumstances you have the right to restrict the processing of your personal data. Those circumstances are: you contest the accuracy of the personal data; processing is unlawful but you oppose erasure; we no longer need the personal data for the purposes of our processing, but you require personal data for the establishment, exercise or defence of legal claims; and you have objected to processing, pending the verification of that objection. Where processing has been restricted on this basis, we may continue to store your personal data. However, we will only otherwise process it: with your consent; for the establishment, exercise or defence of legal claims; for the protection of the rights of another natural or legal person; or for reasons of important public interest.*

6.7. *You have the right to object to our processing of your personal data on grounds relating to your particular situation, but only to the extent that the legal basis for the processing is that the processing is necessary for: the performance of a task carried out in the public interest or in the exercise of any official authority vested in us; or the purposes of the legitimate interests pursued by us or by a third party. If you make such an objection, we will cease to process the personal information unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or the processing is for the establishment, exercise or defence of legal claims.*

6.8. *You have the right to object to our processing of your personal data for direct marketing purposes (including profiling for direct marketing purposes). If you make such an objection, we will cease to process your personal data for this purpose.*

6.9. *You have the right to object to our processing of your personal data for scientific or historical research purposes or statistical purposes on grounds relating to your particular situation, unless the processing is necessary for the performance of a task carried out for reasons of public interest.*

6.10. *To the extent that the legal basis for our processing of your personal data is:*

- 6.10.1. *consent; or*

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6.10.2. *that the processing is necessary for the performance of a contract to which you are party or in order to take steps at your request prior to entering into a contract, and such processing is carried out by automated means, you have the right to receive your personal data from us in a structured, commonly used and machine-readable format. However, this right does not apply where it would adversely affect the rights and freedoms of others.*

6.11. *If you consider that our processing of your personal information infringes data protection laws, you have a legal right to lodge a complaint with a supervisory authority responsible for data protection. You may do so in the EU member state of your habitual residence, your place of work or the place of the alleged infringement.*

6.12. *To the extent that the legal basis for our processing of your personal information is consent, you have the right to withdraw that consent at any time. Withdrawal will not affect the lawfulness of processing before the withdrawal.*

6.13. *You may exercise any of your rights in relation to your personal data by written notice to us, by email or verbally in most cases, in addition to the other methods specified in this Section.*

7. About cookies

7.1. *A cookie is a file containing an identifier (a string of letters and numbers) that is sent by a web server to a web browser and is stored by the browser. The identifier is then sent back to the server each time the browser requests a page from the server.*

7.2. *Cookies may be either “persistent” cookies or “session” cookies: a persistent cookie will be stored by a web browser and will remain valid until its set expiry date, unless deleted by the user before the expiry date; a session cookie, on the other hand, will expire at the end of the user session, when the web browser is closed.*

7.3. *Cookies do not typically contain any information that personally identifies a user, but personal information that we store about you may be linked to the information stored in and obtained from cookies*