

# Power NI Privacy Statement

## **1. Introduction**

Protecting our customer's personal data is important to Power NI. This Privacy Statement sets out how we collect, use, store, share and protect your personal data in compliance with Data Protection legislation.

### **1.1 Company Information**

Power NI Energy Limited trading as Power NI, a company registered in Northern Ireland with the company registration number NI027394 and having our place of business at Greenwood House, 64 Newforge Lane, Belfast, BT9 5NF. Power NI is part of the Viridian Group, the leading independent energy company in the all-Ireland market. Further information can be found at [www.powerni.co.uk](http://www.powerni.co.uk) or [www.viridiangroup.co.uk](http://www.viridiangroup.co.uk).

### **1.2 Contact us**

If you have questions as to the manner in which your personal data is being handled or if you require any further information you can contact the Data Protection Officer using the details below:

Data Protection Officer

64 Newforge Lane

Belfast

BT9 5NF

Email: [Dataprotection@powerni.co.uk](mailto:Dataprotection@powerni.co.uk)

### **1.3 Statement Review**

This Statement will be regularly reviewed to ensure we continue to meet our obligations in processing your personal data and protecting your privacy. In order to do so we reserve the right to update, modify and amend this Statement at any time as required. We would recommend that you check back regularly to keep informed of any updates. We will not make any significant changes to the Statement without informing you.

### **1.4 Protecting your Information**

We are committed to protecting your personal data and to implementing appropriate technical and organisational security measures to protect it against any unauthorised or unlawful processing and against any accidental loss, destruction, or damage.

## **2. Data we Collect**

In order to provide energy products and services and provide you with information on these products and services we need to collect a number of categories of personal data through a number of channels including from you, third parties, other energy suppliers, the network provider and credit reference agencies. We obtain this personal data during the registration process, marketing or through our on-going management of your account. We cannot provide you with energy services or offer you a contract based on the products or services which best suit your requirements unless we have the necessary information.

These personal data categories include:

Name, address, contact details such as telephone number, mobile phone number, email address, date of birth, property details, bank details, credit and debit information, records of payments and any arrears, employment status, marketing preferences, property categorisation, telephone recordings, CCTV recordings from our offices, website usage (on [www.powerni.co.uk](http://www.powerni.co.uk)), IP address, energy usage, identity verification questions (such as mother's maiden name), contact notes.

In certain circumstances and as part of our regulatory requirements we may collect special categories of personal data for the customer care register including any disabilities or special needs information necessary to support the provision of service to the customer.

## **3. How we use your Information**

We will use your personal data to provide you with energy products and services and to allow us to better manage your customer account. In particular we may use your personal data for the following purposes:

### **3.1 Account Management**

In order to set up and administer your account and manage your customer journey and contact with us, we are required to process your personal data. This involves processing personal data for the purpose of account set up, monitoring, identity verification and managing your account including obtaining credit references (Commercial customers only), implementing a change of supplier and obtaining, maintaining and exchanging information on meter points, occupancy details, billing purposes and processing payments.

Legal Basis: The processing is necessary for the performance of your contract to which the data subject is party to or in order to take specific steps prior to you entering into a contract.

Legal Basis: The processing is necessary to comply with our legal obligations.

Legal Basis: The processing is necessary for our legitimate interests or those of a third party. It is within Power NI's legitimate interest to use certain personal data to establish, maintain and review an account to allow Power NI to better manage customer's accounts,

enforce rights set out in the terms & conditions of supply, and to ensure customers are provided with the most appropriate products and services.

### **3.2 Customer Support**

In order to respond to queries and manage and investigate any complaints we are required to process your personal data. If you contact our Customer Service Team or if we contact you we will use personal data such as account information and contact history. We may monitor and record such communications, instant messaging (web chat), social media, email and other electronic communication to help investigate any complaints and for training purposes.

Legal Basis: The processing is necessary for the performance of a contract to which you are party to in order to take specific steps prior to you entering into a contract.

Legal Basis: The processing is necessary to comply with our legal obligations.

Legal Basis: The processing is necessary for our legitimate interests or those of third party. It is within Power NI's legitimate interest to use certain personal data to establish, maintain and review an account to allow Power NI to better manage customer's accounts, enforce rights set out in the terms & conditions of supply, and to ensure customers are provided with the most appropriate products and services and that customer complaints are resolved appropriately.

### **3.3 Marketing**

In accordance with your marketing preferences, from time to time we may provide you with information on our products and services and those of carefully selected third parties\* (whose products and services may be unrelated to ours) which we feel may be of interest to you. Depending on your marketing preferences we may also contact you after you have ended your account with us to make you aware of our products, services and any available offers including those of carefully selected third parties.

In order to provide you with relevant products, services, offers, promotions and to continually improve our customer services we may use personal data to analyse customer behaviour and customer data relating to you.

Depending on your marketing preferences and as otherwise permitted by law we may contact you by:

(a) Non-electronic means, including by post or in person; and

(b) Electronic means, including live telephone calls, email, SMS (texts) or multimedia messaging, through your smart phone applications, web chat and chat services, pre-recorded telephone messages, social media (e.g. Facebook and Google), or through your smart meter.

Legal Basis: The processing is based on your consent for the specific purpose (e.g. by opting in and receiving certain marketing communications).

Legal Basis: The processing is necessary for our legitimate interests or those of a third party. It is within Power NI's legitimate interest to provide you with information on Power NI products and services including information that we have tailored to your interests.

If you wish to change your marketing preferences you can do so at any time by writing to us at **Power NI, PO Box 103, Antrim, BT41 9BB**, emailing us at [home@powerni.co.uk](mailto:home@powerni.co.uk) or by calling us on 03457 455 455.

### **3.4 Customer Reward Programme**

If you sign up to the Power NI Perks programme in order to verify you are a Power NI customer, we are required to process your personal data.

Legal Basis: The processing is necessary for our legitimate interests or those of a third party. It is within Power NI's legitimate interest to verify that those signing up for Power NI Perks are entitled customers.

Legal Basis: When you sign up to Power NI Perks, you are requested to consent to the processing of your personal data for the purposes of administering and managing your Power NI Perks account, which you may withdraw at any time by leaving Power NI Perks.

### **3.5 Credit Reference Checks & Fraud Prevention (Commercial Customers Only)**

In order to enter into an agreement with you and assess any level of risk we may carry out necessary credit reference checks.

Legal Basis: The processing is necessary for entering into or the performance of a contract to which you are subject.

Legal Basis: The processing is necessary to comply with our legal obligations.

Legal Basis: The processing is necessary for the legitimate interests of the controller or third party. It is within Power NI's legitimate interest to carry out such processing to assess creditworthiness and protect Power NI from fraud.

### **3.6 Improving our Products & Services**

In order to improve our products, services and customer interaction we carry out customer surveys and market research which involves the processing of personal data.

Legal Basis: The processing is necessary for our legitimate interests or those of third party. It is within Power NI's legitimate interest to provide you with the best customer experience by ensuring that we continually improve our processes and product and service offerings.

2 \*Typical categories may include automotive, family & kids, financial & professional, food & entertainment, gifts, home & garden, shopping, sport, health & beauty and travel.

### **3.7 Debt Management**

In order to appropriately manage any debt issues if they were to occur, Power NI may be required to process personal information.

Legal Basis: The processing is necessary for the performance of a contract to which you are a party to or in order to take specific steps prior to entering into a contract.

Legal Basis: The processing is necessary for our legitimate interests of the controller or those of a third party. It is within Power NI's legitimate interest to use certain personal data to help manage a debt issue and enforce rights set out in the terms & conditions of supply.

### **3.8 Regulatory & Licence**

In order to meet our regulatory and Licence requirements Power NI is required to process personal data and provide information to the Authority and government departments.

Legal Basis: The processing is necessary to comply with a legal obligation to which we are subject under our Licence requirements.

### **3.9 Website Statistics**

Like most websites, we gather statistical and other analytical information of all visitors to our website including cookies and click trails. We use the data gathered to get a better understanding of where our visitors come from and to help us better design and organise our website and for the purposes set out below at Customer Preferences and Account History. You can find our Cookie Policy at [www.powerni.co.uk/powerni/legals](http://www.powerni.co.uk/powerni/legals).

Legal Basis: The processing is necessary for our legitimate interests or those of a third party. It is within Power NI's legitimate interest to provide you with the best customer website experience by ensuring that we continually improve our processes and website.

### **3.10 Customer Preferences and Account History**

To manage and administer any products or services we provide, to develop and manage our brands, products and services and to develop and offer new products and services, we may review customer preferences and account information.

Legal Basis: The processing is necessary for our legitimate interests or those of a third party. It is within Power NI's legitimate interest to provide you with the best customer experience and offers relevant to you.

### **3.11 Recruitment**

If you submit a job application, we will use your personal data for recruitment-related purposes, which may include contacting you via email, telephone, SMS or post.

Legal Basis: The consent of the individual.

Legal Basis: The processing is necessary to comply with legal obligations to which we are subject under our employment law.

### **3.12 Special Categories of Personal Data**

In order to support customers requiring additional account management support (e.g. customers with poor eyesight or blindness requiring bills to be provided in braille or assisting customers in ill health with debt or payment management plans, we may from time to time obtain data concerning a customer (or previous customer's) health.

Legal Basis: The explicit consent of the individual.

Legal Basis: Where required to protect the vital interests of the individual where the individual is physically or legally incapable of giving consent to such processing.

Legal Basis: The processing is necessary to comply with legal and regulatory obligations to which we are subject under our Licence requirements.

## **4. Sharing your Information**

There are a number of circumstances in which we may share your personal data within Power NI and other parties. Below is a list of such potential recipients or categories of recipients with whom we may share information:

- In order to meet our Licence and Regulatory requirements we are required to share certain personal data such as with the Network Company – Northern Ireland Electricity Networks Ltd (NIEN).
- In order to meet our requirements with the Regulators, the Utility Regulator.
- In order to support the process for transferring customers between Energy Service Providers we are required to share certain personal data with previous, current and future suppliers to establish all relevant details to help transfer supply and establish the details of any outstanding debt.
- In order to carry out credit checks when entering into an agreement we may share personal data with financial institutions & credit reference agencies.
- In order to meet legal and regulatory requirements we may share personal data with fraud prevention agencies.
- For debt management purposes we may in certain cases be required to share personal data with debt collection agencies.
- We may disclose information when required by law or legal process for the administration of justice, to protect your vital interest, for investigations by law enforcement or regulatory bodies, to protect and defend Power NI's property and legal rights or by order of a valid order from a court or law enforcement agency.

- In order to support complaint handling we may share information with the Consumer Council NI (CCNI).
- Where necessary to support our customers with poor eyesight or blindness requiring bills to be provided in braille we may provide information to organisations such as the Royal National Institute of Blind People (RNIB).
- Organisations who act as service providers to Power NI such as providers of telecommunications, postal services, records storage, data storage, document production and destruction, IT services and security, fraud detection, customer reward programmes, marketing and market research, and making and receiving financial payments.
- For our Microgen customers with their written consent we may share information with the Office of Gas and Electricity Markets (OFGEM).
- Where you have consented for us to do so we may share your information with our sponsorship partners for the purpose of them/us contacting you to provide you with offers.
- In order to verify you are an active Power NI customer we share certain personal data with our reward scheme programme provider.

We may pass personal data to our agents and service providers and group companies when relevant for these purposes, including the use of cloud providers. This may involve passing your personal data outside of the European Economic Area and any such recipients will be bound to comply with the European Commission standard contractual clauses for the transfers of data outside the EEA.

## **5. Retention of your information**

We will retain your personal data only for as long as is necessary for the purposes for which it was collected and in order to meet the legal and business requirements of managing your customer account and experience with us. In particular:

- We will retain personal data that is necessary for us to provide you with a product or service that you have requested or purchased for as long as it takes us to provide that product or service;
- We will retain your contact details for marketing purposes for as long as we have your permission to send you marketing information or for as long as we are permitted to do so, subject to your right to object at any stage;
- We will retain records of any transactions you enter into with us or products or services you receive for up to seven years after the date of the transaction. This is so that we can respond to any complaints or disputes that arise in that period;
- We will retain any financial transaction information for seven years after the date of those transactions; and
- We will retain other personal data necessary for us to do so to comply with our regulatory and legal requirements.

## **6. Your rights**

The General Data Protection Regulation provides you with a number of rights under the legislation as a data subject. We will respond to your requests within one month of the receipt of your request or inform you in circumstances where an extension may be required.

### **6.1 Right of access**

You have the right to be provided with details of the processing of your personal data and to obtain a copy of the personal data we hold about you, subject to applicable exemptions under data protection legislation.

In order to make an access request please send your request in writing to the details below:

Data Protection Officer

64 Newforge Lane

Belfast

BT9 5NF

Email: [Dataprotection@powerni.co.uk](mailto:Dataprotection@powerni.co.uk)

To help us better deal with your request please provide us with the information necessary to identify you (name, address, account number) and to identify the personal data you require.

### **6.2 Right to rectification**

If the personal data we hold on you is inaccurate or incomplete you have the right to rectify such personal data and we would encourage you to ensure the personal data we hold on you is kept as up to date and accurate as possible.

### **6.3 Right to erasure**

In certain circumstances you have the right to request the deletion of your personal data where there is no compelling reason for us to continue processing it. This is not an absolute right but can include circumstances such as:

- Where your personal data is no longer necessary in relation to the purpose for which it was processed.
- When the processing in question is solely based on consent and consent is withdrawn.

- When you object to the processing on grounds relating to your particular situation and there is no overriding legitimate interest to continue the processing.
- The personal data has to be erased in order to comply with a legal obligation.
- Your personal data has been processed unlawfully.

#### **6.4 Right to restrict processing**

In certain circumstances you can request the restriction of the processing of your personal data where you contest the accuracy of the information; where you object to processing which is based on legitimate interests; where the processing is unlawful and you wish to restrict the processing rather than seek erasure; or where we no longer require to retain your personal data but you wish the personal data to be held while you establish, exercise or defend a legal claim.

#### **6.5 Right to data portability**

In circumstances where the personal data you have provided to us in a structured, commonly used and machine readable format is based on your consent or for the performance of the contract and where the processing is carried out by automated means, you have the right to request that such personal data be provided to you or transmitted directly to another organisation.

#### **6.6 Right to withdraw consent**

Power NI processes your personal data using a number of legal bases apart from consent including entering into a contract with you in order to provide energy services. If however we are processing your personal data on the legal basis of consent (such as for marketing purposes) you have the right to withdraw your consent at any time. If you withdraw your consent, we will no longer be able to carry out processing based on your consent. However by withdrawing your consent it does not invalidate any processing which was undertaken prior to the withdrawal of your consent.

#### **6.7 Right to object to processing**

You have the right to object to processing based on legitimate interests; direct marketing (including profiling for the purpose of direct marketing).

Where we have indicated that we are processing your personal data based on legitimate interest, you are entitled to object to such processing on grounds relating to your particular situation. We will stop processing your personal data unless we can demonstrate compelling legitimate grounds for the processing which overrides your interests, rights and freedoms or where the processing is necessary for the establishment, exercise or defence of legal claims.

If you wish to object to receiving direct marketing please use the provided opt-outs or contact us and we will stop processing your personal data for direct marketing purposes.

#### **6.8 Automated decision making including profiling**

You have the right not to be subject to automated individual decision making, including profiling, which produce legal effects concerning you or similarly significantly affects you unless it is necessary for the entry into or performance of a contract, authorised by EU or member state law; or based on your explicit consent.

#### **6.9 Right to lodge a complaint with ICO**

You have the right to lodge a complaint with the Information Commissioner's Office: Information Commissioner's Office

Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
Tel: 0303 123 1113

**Last updated 25th May 2018**

**The Consumer Council**

Floor 3, Seatem House, 28-32 Alfred Street, Belfast, BT2 8EN

Call: 0800 121 6022

Email: [contact@consumercouncil.org.uk](mailto:contact@consumercouncil.org.uk)

[www.consumercouncil.org.uk](http://www.consumercouncil.org.uk)

**Power NI**

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