

Energia Privacy Statement

Last updated February 2021



1. INTRODUCTION

Protecting our customer's personal data is important to Energia. 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. Energia is part of the Energia Group, the leading independent energy company in the all-Ireland market. Energia is the trading name of Energia Customer Solutions Limited a company registered in Ireland with company number 306035 and having its registered office at The Liberty Centre, Blanchardstown Retail Park, Dublin 15, D15 YT2H. Further information can be found at <https://www.energia.ie/home> or <https://www.energiagroup.com/>.

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 at Dataprotection@energia.ie or by writing to the:

• Data Protection Officer, The Liberty Centre, Blanchardstown Retail Park, Dublin 15, D15 YT2H.

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 providers 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, marketing preferences, property categorisation, telephone recordings, website usage on <https://www.energia.ie/home> and <https://www.energia.ie/business>, IP address, energy usage, contract duration, identity verification questions (such as mother's maiden name), and 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 you.

3. HOW WE USE YOUR INFORMATION

We will use your personal data to provide you with energy products and services, including smart 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, 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 the contract which you are 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 Energia's legitimate interest to use certain personal data to establish, maintain and review an account to allow Energia to better manage customers' 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), email and other electronic communication to help investigate any complaints and for training purposes.

Legal Basis: The processing is necessary for the performance of the contract 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 a third party. It is within Energia's legitimate interest to use certain personal data to establish, maintain and review an account to allow Energia to better manage customers' 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/ promotional efforts 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. Again 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.

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), multimedia messaging or social media (e.g. Facebook and Google).

Legal Basis: The processing is based on your consent for the specific purpose (e.g. by opting in and receiving certain marketing communications on sign up or otherwise, including by joining the Energia Extra Rewards Scheme).

Legal Basis: The processing is necessary for our legitimate interests or those of a third party. It is within Energia's legitimate interest to provide you with information on Energia 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 the address provided above, emailing us at homeenquiries@energia.ie or by calling customer services on 0818 405 405.

3.4 Customer Loyalty Programme. If you sign up to the Energia Extra programme in order to verify you are an Energia 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 Energia's legitimate interest to verify that those signing up for Energia Extra are entitled customers.

Legal Basis: When you sign up to Energia Extra, you are requested to consent to the processing on your personal data as stated in our sign up process, which you may withdraw at any time by leaving Energia Extra.

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 a third party. It is within Energia's legitimate interest to carry out such processing to assess creditworthiness and protect Energia 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 a third party. It is within Energia's legitimate interest to provide you with the best customer experience by ensuring that we continually improve our processes and offerings.

3.7 Debt Management. In order to allow Energia to appropriately manage any debt issues if they were to occur.

Legal Basis: The processing is necessary for the performance of the contract to which you are party 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 Energia'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 Energia is required to process personal data and provide information to the Regulatory Authorities and government departments. In the event of a direction from the Commission for Regulation of Utilities (CRU) personal data may be transferred to the Supplier of Last Resort, an any requirements which apply to customers in relation to the safety or network related activity.

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 Assessment of Customer Preferences and Account History.

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

3.10 Assessment of Customer Preferences and Account History. Our systems assess customer profiles such as payment preferences, online account preferences, payment history, contract duration, services delivered, energy use, contact history, website visits, sign up behaviour/channel etc. in order to assess customer loyalty for marketing or contract renewal purposes and to determine what services or special offers or, where available, customer rewards, may be of interest to certain customers. Profiling may result in customers being offered different customer rewards or rewards of different value or may result in customers being specifically contacted (in accordance with any consents given) to be informed of our service offerings or contract renewal options. Any customer may contact our Customer Service Teams at any time to enquire about our latest offers or contract renewal options.

Legal Basis: The processing is necessary for our legitimate interests or those of a third party. It is within Energia'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 online, 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 such as a vulnerable customer checklist. We will use this data to maintain and update a Priority Service Register and Special Services Register of vulnerable customers.

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. SMART METER DATA

4.1 How we use Smart Meter data. If you are an Energia Smart Customer and you avail of one of our Time of Use Tariffs we will use your energy consumption data for the following purposes below:

- To calculate your energy use.

Legal Basis: The processing is necessary for the performance of the contract to which you are party.

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

- To create bills based on your energy consumption readings which will reduce the need for estimated bills.

Legal Basis: The processing is necessary for the performance of the contract to which you are a party.

- To provide you with information and feedback about your energy consumption and how you can manage your energy usage better.

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

- To track trends in energy consumption and analyse your energy data and over time compare it with other customer's energy use so that we can develop tailored products and services for you.

Legal Basis: The processing is necessary for our legitimate interests. Further information on our legitimate interests are set out below.

- To provide you with access to your energy use through your online account, or through communications we might send you such as energy savings advice.

Legal Basis: The processing is necessary for the performance of the contract to which you are party.

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

- To provide internal reporting, modelling and analysis to help us better understand our customer's requirements.

Legal Basis: The processing is necessary for our legitimate interests or those of our group. Further information on our legitimate interests are set out below.

- To provide energy usage for industry purposes in line with industry and regulatory requirements.

Legal Basis: The processing is necessary for our legitimate interests or those of a third party. Further information on our legitimate interests are set out below.

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

- To help us forecast energy demand.

Legal Basis: The processing is necessary for our legitimate interests or

those of our group. Further information on our legitimate interests are set out below.

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

The use by Energia of your smart data for marketing purposes will be dependent on your marketing choices.

Energia processes personal data where necessary for the purpose of its legitimate interests or those of a third party. It is within Energia's legitimate interest to use certain personal data to establish, maintain and review an account to allow Energia to better manage customers' accounts, enforce rights set out in the terms & conditions of supply, and to ensure customers are provided with the most appropriate products and services.

In order to provide you with the most relevant information about our products and services which we think will be of interest to you and tailored to your requirements we will assess your customer preferences and account history including energy usage. By analysing this information and creating this profile it will allow us to provide you with information on your energy usage levels and suggest those products and services more personalised to your needs.

We use analytical programs that collate the information we hold and analyse it to create models based on this information and on previous promotions to help decide what products and services to offer to you and to decide what marketing communications you may receive. We do this by assessing your preferences and eligibility, and how relevant those product or service would be to you. As stated above the use of such information for marketing purposes will be dependent on your marketing choices and you do have the right to object to processing for marketing purposes at any time.

4.2 Smart Meter Readings Provided. Dependent on the Time of Use Tariff you chose your smart meter will collect your energy consumption data on a half hourly basis or on a Bi-Monthly basis.

Smart Meter tariff options:

- Half hourly – One meter read will be taken once a day of the half hourly data.
- Bi-monthly – One meter read every 60 days or three meter reads covering set time periods every 60 days depending on your chosen tariff.

Your choice of smart meter tariff and the frequency of energy consumption data provided may limit some of the products and services available. If having chosen to provide your half hourly data you decide to no longer do so this may also limit some of the products and services available.

4.3 Smart Meter Information Provision. If you chose a Time of Use Tariff which allows for the collection of your energy consumption data on a half hourly basis you will be able to access this information through your online account. You will have access to a minimum of 24 months of half hourly energy consumption data or from the start of your supply contract, whichever is shorter. The data provided will be frequently refreshed (within 24 hours after we receive it) to allow for real-time decisions on how to use energy more efficiently and effectively and provided in a standard harmonised downloadable format.

5. SHARING YOUR INFORMATION

There are a number of circumstances in which we may share your personal data within the Energia Group and with 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 Companies– Electricity Supply Board Networks (ESBN) and Gas Networks Ireland (GNI). In order to meet our requirements with the Regulator – Commission for Regulation of Utilities (CRU).
- 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 and 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 Energia's property and legal rights or by order of a valid order from a court or law enforcement agency.
- Organisations who act as service providers to Energia such as providers of telecommunications, postal services, records storage, data storage, document production and destruction, IT services and security, fraud detection, customer loyalty programmes, marketing and market research, and making and receiving financial payments.
- In order to meet our Licence and Regulatory requirements and with your explicit consent we will share certain special category personal data with the Network Companies ESBN and GNI, other Energy Service Providers or a person nominated to help manage your account as part of the Priority Services Register and Special Services Register for vulnerable customers.
- In order to meet our Licence and Regulatory requirements we may be required to transfer personal data to: (a) ESB Networks Designated Activity Company where required for safety or network related activities;

and (b) the Supplier of Last Resort in the event of a direction from the Regulator.

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 (EEA) and any such recipients will be bound to comply with the European Commission standard contractual clauses or equivalent data protection safeguards for the transfers of data outside the EEA.

6. 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.

7. 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.

7.1 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. 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.

In order to make an access request please email Dataprotection@energia.ie or send your request in writing to the:

- Data Protection Officer, The Liberty Centre, Blanchardstown Retail Park, Dublin 15, D15 YT2H

7.2 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.

7.3 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.

7.4 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.

7.5 Right to data portability. You can request to receive your personal data, which you provided to us, in a structured, commonly used and machine readable format and have the right to transmit this data to another controller.

7.6 Right to withdraw consent. If we are processing your personal data on the legal basis of consent 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.

7.7 Right to object to processing. You have the right to object to processing based on legitimate interests and to 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 to do so.

7.8 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 affect 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.

7.9 Right to lodge a complaint with the Data Protection Commission. You have the right to lodge a complaint with the:

- Data Protection Commission via their website at www.dataprotection.ie or by writing to the Data Protection Commission, 21 Fitzwilliam Square South, Dublin 2, D02 RD28, Ireland.

