

AVID ENERGY GB PRIVACY POLICY

This Privacy Policy (the "Privacy Policy") is located on the website www.avidenergy.co.uk (the 'Website') or alternatively: "inside the Avid Energy mobile app (the 'Mobile App')".

This Website or alternatively the Mobile App is operated by Avid Energy Ltd GB ("Avid Energy GB", 'we' or 'us').

We take your privacy very seriously and we ask that you read this privacy policy carefully, along with our "terms and conditions" and "terms of use" as it contains important information on:

- the personal information we collect about you
- what we do with your information,
- who your information might be shared with, and
- your rights.

Who we are

Avid Energy Limited ('we' or 'us') is a company registered in England with company number 10026662. We are a 'data controller' for the purposes of the Data Protection Act 1998 and, after 25th May 2018, the General Data Regulation (EU) 2016/679 ("**Data Protection Laws**"), and we are responsible for, and control the processing of, your personal information.

Our Data Protection Officer

We have an in house Data Protection Officer that can be contacted as follows:

- Address: Data Protection, Avid Energy, Maple House, High Street, Potters Bar, Hertfordshire, EN6 5BS
- Email: dataprotection@avidenergy.co.uk

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 Policy:

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| Personal Data | <p>means any information from which a <u>living individual</u> can be identified.</p> <p>This will include information such as telephone numbers, names, addresses, e-mail addresses, photographs, voice recordings. It will also include expressions of opinion and indications of intentions about data subjects (and their own expressions of opinion/intentions).</p> <p>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.</p> |
| Special Categories of Personal Data (or Sensitive Personal Data) | <p>means any information relating to:</p> <ul style="list-style-type: none"> • Racial or ethnic origin; • Political opinions; • Religious beliefs or beliefs of a similar nature; • Trade union membership; • Physical or mental health condition; • Sexual life; • genetic data or biometric data for the purpose of uniquely identifying you; or • Offences or alleged offences or information relating to any offences committed or allegedly committed. |
| Processing | <p>This covers virtually anything anyone can do with personal data, including:</p> <ul style="list-style-type: none"> • obtaining, recording, retrieving, consulting or holding it; • organising, adapting or altering it; • disclosing, disseminating or otherwise making it available; and • aligning, blocking, erasing or destroying it. |
| Data Subject | The person whom the data is about. |
| Information Commissioner | The UK Information Commissioner, who is responsible for implementing, overseeing and enforcing the Data Protection Laws. |

What information we collect?

Personal information provided by you

We collect personal information about you such as:

- *your name,
- contact details,
- * bank account and credit/debit card details,
- *details of the property to which you wish us to supply energy,
- how much and at what times energy is used at that property,
- the type of meter installed at the property, and
- *the supply number by which your meter is identified when you register with us or apply

to buy energy or other services from us.

We will also collect personal information about you in the course of supplying energy or other services to you. This will include information you provide when you communicate with us (via our website or app, over the telephone, via email or in person), information we collect from the meter at the property to which we are supplying energy, and information we collect at the time of taking a payment from you.

We may also collect personal information when you complete customer surveys.

We ask you to provide us with the information described above in order that we can:

- provide the energy supply services; and
- provide you with information in accordance with the 'Marketing' section below.

Failure to provide us with the information marked with a star (*) means we cannot provide the services to you and fulfil any obligations to you under any contract we may have with you.

Personal information provided by third parties

We will also receive information about you from other sources, such as

- credit reference agencies,
- charities,
- Citizen's Advice,
- Age UK,
- other energy suppliers,
- the energy network operators, and
- central energy industry bodies (including those engaged in detecting and preventing energy theft, which we will add to the information we already hold about you).

These sources will send us information about you such as:

- your name,
- contact details,
- bank account and credit/debit card details,
- details of the property to which you wish us to supply energy,
- how much and at what times energy is used at that property,
- the type of meter installed at the property, and
- the supply number by which your meter is identified when you register with us or apply to buy energy or other services from us.

Personal information about other individuals

If you give us information on behalf of someone else (including the occupants of the property to which we are to supply energy), you confirm that the other person has appointed you to act on his/her behalf and has agreed that you can:

- give consent on his/her behalf to the processing of his/her personal data in accordance with this privacy notice;
- receive on his/her behalf any data protection notices;
- give consent to the transfer of his/her personal data abroad; and
- give consent to the processing of information concerning his/her physical or mental health condition

Sensitive personal information

We may ask you to provide sensitive personal information about your physical or mental health, when this is necessary to provide Priority Services (See Priority Services Register section below). If we request such information, we will explain why we are requesting it and how we intend to use it.

We will only collect your sensitive personal information with your explicit consent, or where we are required to do so in accordance with our energy supply licence if a UK Law allows us to do so.

How will we use the information about you?

We collect information about you so that we can:

- identify you and manage any accounts you hold with us;
- process your application for an energy supply contract, and determine what products, price plans and services to offer and provide to you;
- supply energy to you, charge and bill you accurately for the energy supplied, and arrange for the reading, maintenance, repair and replacement of any meter at the property to which we supply energy;
- monitor the energy we supply under your energy supply contract so that: (i) we can forecast the likely future energy supply, and use this for decisions we make about wholesale energy purchases and (ii) we are made aware as soon as possible if you leave the relevant property without informing us;

- accept a transfer of debt from your old energy supplier, or transfer a debt you owe us to your new energy supplier;
- facilitate the change of supplier process at the beginning and the end of your energy supply contract;
- conduct research, statistical analysis and behavioural analysis;
- we use third parties tools, including but not limited to Google AdWords Customer Match and Facebook custom audiences to help exclude our existing customers from seeing our ads, and to reach similar web users who could also be interested in joining Avid Energy
- if you agree, let you know about other products or services that may be of interest to you—see 'Marketing' section below;
- detect and prevent fraud;
- detect and prevent theft of energy – see 'Detecting and preventing theft of energy';
- do a credit check—see 'Credit checking' section below;
- customise our website and its content to your particular preferences;
- notify you of any changes to our website or to our services that may affect you;
- carry out security vetting;
- if we believe that you need extra care – see 'Priority services register' below;
- improve our services; and
- help you understand when you may need to top-up, or perform some other action to remain on supply.

Detecting and preventing energy theft

If we suspect that the meter or the energy supply to the property we are supplying has been interfered with, we will record this information on your account and may share it with any regulatory body, other energy suppliers and any organisation tasked with assisting in reducing fraud and energy theft. This may include recording sensitive personal information such as any criminal offences that you may have been accused of. We (and the other energy suppliers with whom the information is shared) may also use this information to help us make decisions in relation to your payment arrangements and any products or services that we may offer you in the future.

Priority services register

If we believe that you need extra care we can record that in our information about you. The extra care might be because of your age, health, disability or financial circumstances, or it could be because you are vulnerable for another reason. We can record such information for any member of your household. We'll keep this information so that we can comply with the requirements of our supply licence applicable to you (for example, restrictions on cutting-off your supply in certain circumstances). We may share this information with other energy suppliers, energy network operators and Ofgem.

Half-hourly energy supply data

If there is a smart meter at the property to which we are supplying energy under your energy supply contract, we normally collect readings from your smart meter on a half hourly basis.

If you have given us permission to do so, we will collect data by reference to the energy supplied in each half hour. If you do not give us this permission, we will seek permission to obtain data in respect of the energy supplied over the course of each day.

You can also opt to limit the data we can obtain from your smart meter so that we only obtain data once a month and by reference to the energy supply in the month as a whole (subject to the carve-outs under our energy supply licences).

You can change your mind about how often we read your smart meter and by reference to what period of time we obtain data at any time by contacting us (see 'How to contact us' below). However, it may take us a few days to process your request.

How long will we keep your data for?

Data will be retained by the period deemed appropriate to Ofgem – currently 5 years.

Why processing your personal data is legal?

We are processing your personal information either:

- in order to perform the contract that we have with you to deliver services. We cannot process your information without your name, contact details or payment information; or
- in accordance with our legitimate interests to run our business through our Website. Our processing of your information does not affect your rights and freedoms as we collect limited information, only relating to the use of our Website or the purchase of our services.

- if you give us your explicit consent to use your data concerning health for the Priority services register service, unless this consent is not necessary in the case a UK Law allows us to do so because we need to comply with the obligations stated in the supply licence.

Monitoring and recording communications

We may monitor and record communications with you (such as telephone conversations and emails) for the purpose of quality assurance, training, fraud prevention and compliance.

Use of cookies

What is a cookie?

A cookie is a small text file which is placed onto your computer (or other electronic device) when you use our website. Cookies can be used to identify that you have visited our website before and some will be stored on your computer by your web browser. Cookies make it easy for websites to collect user specific information about their visitors. Each cookie will contain anonymous information about the user. By using cookies on our website, we can understand how you use the site which helps us to improve your experience.

How do we use cookies?

Avid Energy uses cookies to understand how people use our website and to help us make your experience better. You can set your browser to not accept cookies if you wish. However, some of our website features may not function as a result.

What cookies do we use?

Avid Energy and our third party partners may set different cookies when you visit our website. We use cookies to enhance the website and mobile app and to deliver many of the functions that make your browser experience more user friendly.

Our cookies include, but are not limited to, the following:

- Google Analytics
- Google Tag Manager
- Avid– Campaign of Most Recent Page
- Avid– IP Address used when on Most Recent Landing Page

- Avid– Time on Most Recent Landing Page
- Avid– URL of Most Recent Landing Page
- Avid– Campaign of First Landing Page
- Avid– IP Address used when on First Landing Page
- Avid– Time on First Landing Page
- Avid– URL of First Landing Page

The use of cookies on our website falls into four categories:

- Strictly necessary
 - These allow you to move around the website & use all the basic features
- Functionality
 - These cookies improve the way the site works by storing your preferences.
- Performance cookies:
 - These cookies improve your user experience of the website.
- Targeting & Advertising:
 - These cookies are used to help us better understand our advertising campaigns and how we can make these more relevant to you. These cookies are anonymous and therefore, won't collect information to identify you. We also use cookies to build profiles of people like you to target for future marketing campaigns.

Our website will send cookies to your web browser if your browser's preferences allow it. Many websites do this whenever a user visits their website in order to track online traffic flows. Avid Energy's website requires cookies to be enabled in order to for the service to function properly. If you disable cookies, you may not be able to avail of some of our online services. If you use the website without changing your settings, we'll assume that you are happy to receive all cookies on the Avid Energy website.

For more information on cookies, please visit the Internet Advertising Bureau's [dedicated website](#) or <https://www.aboutcookies.org/>

Marketing

We would like to send you information by post, email, telephone, text message (SMS), web chat, app notifications, app chat or automated call about promotions, competitions and special offers which may be of interest to you.

Other businesses which we have selected carefully (i.e. marketing or advertising agencies) may also send you similar marketing messages, depending on what you agree with us.

We will ask whether you would like us and other businesses to send you marketing messages when you sign up to our service.

If you have consented to receive such marketing from us, you can opt out at any time. See 'What rights do you have?' below for further information.

You can also manage your preferences by calling our support number 0330 022 6115

Credit checking

We may do a credit check on you:

- so that we can make credit decisions about you and members of your household, and
- to prevent and detect fraud and money laundering.

Our search will be recorded on the files of the credit reference agency.

We may also disclose information about how you conduct your account to credit reference agencies and your information may be linked to records relating to other people living at the same address with whom you are financially linked.

Other credit businesses may use your information to:

- make credit decisions about you and the people with whom you are financially associated
- trace debtors, and
- prevent and detect fraud and money laundering

If you provide false or inaccurate information to us and we suspect fraud, we will record this.

If you perform a credit check and you wish to view your credit file, we will provide you with contact details of the credit check agency we have used.

Who your information might be shared with

We may disclose your personal data to:

- other companies within our group;
- our agents, service providers, suppliers and sub- contractors. We may need to disclose your details to organisations who provide services to us. For example: hosting companies, prepayment meter payment collection companies, metering companies, marketing and advertising partners, debt collection agencies, energy network companies, payment services providers, CRM companies, mail service providers. Some of our suppliers will be in other countries which have different laws about data protection. We impose contractual and technical measures to ensure that your data is secure;
- credit reference agents—see 'Credit checking' below;
- law enforcement agencies in connection with any investigation to help prevent unlawful activity;
- the energy regulator, Ofgem, other energy industry bodies, the energy network companies and other energy suppliers. We will only do so where we are required to do so in accordance with law, our supply licence or the industry rules;
- our business partners in accordance with the 'Marketing and opting out' section above; and

Keeping your data secure

We will use technical and organisational measures to safeguard your personal data, for example:

- access to your account is controlled by a password and email address that are unique to you and by personal details known only to you
- we store your personal data on secure servers; and
- payment details are encrypted using SSL technology (typically you will see a lock icon or green address bar (or both) in your browser when we use this technology).

While we will use all reasonable efforts to safeguard your personal data, you acknowledge that

the use of the internet is not entirely secure and for this reason we cannot guarantee the security or integrity of any personal data that are transferred from you or to you via the internet. If you have any particular concerns about your information, please contact us (see 'How to contact us' below).

What can I do to keep my information safe?

If you want detailed information from Get Safe Online on how to protect your information and your computers and devices against fraud, identity theft, viruses and many other online problems, please visit www.getsafeonline.org. Get Safe Online is supported by HM Government and leading businesses.

Transfers of your information out of the EEA

We may need to transfer your personal data to the USA, which is located outside the European Economic Area, for the purpose of Ticketing Software, Web Chat and App Chat. Any transfer of your data will be subject to a European Commission approved contract or mechanism that will safeguard your privacy rights and give you remedies in the unlikely event of a security breach.

What rights do you have?

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

- the right of access to personal data relating to you
- the right to correct any mistakes in your information
- the right to ask us to stop contacting you with direct marketing
- rights in relation to automated decision taking
- the right to restrict or prevent your personal data being processed
- the right to have your personal data ported to another data controller (e.g. if you decide to contract with a different supplier).
- the right to erasure
- compensation for damage caused by contravention of the Data Protection Laws
- the right to complain to the ICO if you believe we have not handled your personal data in accordance with the Data Protection Laws.

These rights are explained in more detail below, but if you have any comments, concerns or complaints about our use of your personal data, please contact us (see 'How to contact us' below). 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 three months.

Right to access to personal data relating to you

You may ask to see what personal data we hold about you and be provided with:

- a copy;
- details of the purpose for which it is being or is to be processed;
- 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 overseas transfers;
- the period for which it is held (or the criteria we use to determine how long it is held);
- any information available about the source of that data; and
- 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 decision or profiling.

Requests for your personal data must be made to us in writing (see 'How to contact us' below), and a copy will be retained on your personnel file.

To help us find the information easily, please give us as much information as possible about the type of information you would like to see.

If, to comply with your request, we would have to disclose information relating to or identifying another person, we may need to obtain the consent of that person if possible. If we cannot obtain consent, we may need to withhold that information or edit the data to remove the identity of that person if possible.

There are certain types of data which we are not obliged to disclose to you, which include personal data which records our intentions in relation to any negotiations with you where disclosure would be likely to prejudice those negotiations.

Right to correct any mistakes in your information

You can require us to correct any mistakes in your information which we hold free of charge. If you would like to do this, please:

- email, call or write to us (see 'How can you contact us' below)
- let us have enough information to identify you (e.g. account number, user name, registration details), and
- let us know the information that is incorrect and what it should be replaced with.

Right to ask us to stop contacting you with direct marketing

You can ask us to stop contacting you for direct marketing purposes. If you would like to do this, please:

- email, call or write to us (see 'How can you contact us' below). You can also click on the 'unsubscribe' button at the bottom of the email newsletter. It may take up to 5 days for this to take place.
- let us have proof of your identity and address (a copy of your driving licence or passport and a recent utility or credit card bill), and
- let us know what method of contact you are not happy with if you are unhappy with certain ways of contacting you only (for example, you may be happy for us to contact you by email but not by telephone).

Rights in relation to automated decision taking

You may ask us to ensure that, if we are evaluating you (for example when doing a credit check on you), we don't base any decisions solely on an automated process and to have any decision reviewed by a member of staff.

These rights will not apply in all circumstances, for example where the decision is authorised or required by law and steps have been taken to safeguard your interests.

Right to prevent processing of personal data

From 25 May 2018 and in accordance with the General Data Protection Regulations 2018, you may request that we stop processing your personal data temporarily if:

- you do not think that your data is accurate (but we will start processing again once we have checked and confirmed that it is accurate);
- the processing is unlawful but you do not want us to erase your data;
- we no longer need the personal data for our processing, but you need the data to establish, exercise or defend legal claims; or
- you have objected to processing because you believe that your interests should override our legitimate interests.

Right to erasure

From 25 May 2018 and in accordance with the General Data Protection Regulation, you can ask us to erase your personal data where:

- you do not believe that we need your data in order to process it for the purposes set out in this privacy notice;
- if you had given us consent to process your data, you withdraw that consent and we cannot otherwise legally process your data;
- you object to our processing and we do not have any legitimate interests that mean we can continue to process your data; or
- your data has been processed unlawfully or have not been erased when it should have been.

There may be exemptions which mean we may continue to process your data.

Data portability

From 25 May 2018 and in accordance with the General Data Protection Regulations 2018, you may ask for an electronic copy of your personal data provided to us and which we hold electronically, or for us to provide this directly to another party.

Complaints to the Information Commissioner

If you do not think that we have processed your data in accordance with this notice, please contact us in the first instance.

If you are not satisfied, you can complain to the Information Commissioner's Office. Information about how to do this is available on his website at www.ico.org.uk.

How to contact us

Please contact us or, our Data Protection Officer, if you have any questions about this privacy policy or the information we hold about you.

If you wish to contact us, please send an email to info@avidenergy.co.uk or write to us at Maple House, High Street, Potters Bar, Hertfordshire, EN6 5BS or call us on 0330 022 6115

Changes to the privacy policy

We may change this privacy policy from time to time. You should check this policy occasionally to ensure you are aware of the most recent version that will apply each time you access this website.