



Avid Energy Privacy & Cookie Policy

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1.1	Final Version	21/09/2017
1.2	Minor Updates	12/06/2018
	Minor update to content - format	
1.3	change + branding	09/05/2019



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 General Data Protection Regulation (EU) 2016/679, and we are responsible for, and control the processing of, your personal information.

ACCEPTANCE OF THIS PRIVACY POLICY

This Privacy Statement (the “Privacy Policy”) is located on the “website” www.avidenergy.co.uk and inside the “mobile app” “Avid Energy”. The website and the mobile app are both operated by Avid Energy Limited (registered number is 10026662), a limited liability company incorporated in the United Kingdom, whose registered office is at Eversheds House, 70 Great Bridgewater Street, Manchester, England, M15ES, and all of its direct and indirect subsidiaries (“we” or “our” or “the Company”). This Privacy Policy (together with our Terms & Conditions, Terms of Use and any other documents referred to in such Terms & Conditions or Terms of Use, (which can be located at the following location - <https://www.avidenergy.co.uk/terms-conditions/>) sets out the basis on which any personal data we collect from you, or that you otherwise provide to us, will be processed and used by us and applies to all of your personal data irrespective of the medium or method by which we obtained/received your personal data. This Privacy Policy applies to all of our customers (gas and electricity), domestic and non-domestic. This Privacy Policy is incorporated by reference in the Terms & Conditions, but you will be required to expressly accept both this Privacy Policy and the Terms & Conditions before using our service (it will not be possible to accept one without also accepting the other).

In this Privacy Policy, the term “personal data” means data relating to a living individual who is or can be identified either from the data or from the data in conjunction with other information that is in, or is likely to come into, our possession, and includes personal data as described in data protection legislation (as defined below). Please read the following carefully.

By providing us with your personal data, either through entering into the Website, the Mobile App and/or by any other means; by clicking an “I accept” or similar button on such platforms; by accepting in writing; or by verbally confirming over the phone or during the field sales process in person, you explicitly consent to the terms of this Privacy Policy, and indicate that you have either reviewed this Privacy Policy or have been given an opportunity to review this Privacy Policy and have agreed to be bound by it as well as our Terms & Conditions. For the avoidance of doubt, this includes your explicit consent in respect of any matter which is stated in this Privacy Policy to require explicit consent.

You confirm that you have the consent of each member of your household to agree to our use of data in accordance with our Privacy Policy.



We will keep a record of your consent in this regard (including a recording of any consent verbally given over the phone). If you do not agree to these terms you must leave the Website and Mobile App immediately and / or send us a written request to delete any personal data we hold on you. Otherwise, you give us permission to use your personal data in accordance with this Privacy Policy. Please note that we may not be in a position to provide you with services if you have not consented to our use of your personal data as set out in this Privacy Policy (unless we use your personal data for the performance of a contract with you (including any 'deemed contract' pursuant to the Terms & Conditions), or for our legitimate interests in accordance with Data Protection Legislation).

The data controller for the Website and Mobile App and services provided by us is the Company, and we may also process your personal data on the terms set out in this Privacy Policy.

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, 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.

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

Personal Data	Means any information from which a living individual can be identified. This will include information such as telephone numbers, names, addresses, photographs, voice recordings. It will also cover information which on its own does not identify
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	someone, but which would identify them if put together with other information which we have or are more than likely to have in the future.
Data Subject	User or person (customer) – the person whom the data is about
Special Categories of Personal Data (or Sensitive personal data)	Means any information relating to: <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.
Data Controller	A person who controls the contents and use of the personal data. In terms of the relationship with our customers, Avid Energy acts as a Data Controller.
Data Processor	A person who processes personal data on behalf of a data controller
Data Processing	This covers virtually anything anyone can do with personal data, including: <ul style="list-style-type: none"> •Obtaining, recording, retrieving, consulting or holding it; •Organising, adapting or altering it;



	<ul style="list-style-type: none">•Disclosing, disseminating or otherwise making it available; and•Aligning, blocking, erasing or destroying it.
Supervisory Authority	The Information Commissioner's Office (UK)

WHAT INFORMATION DO WE COLLECT ABOUT YOU AND WHAT DO WE USE IT FOR?

We will handle your personal data in accordance with Data Protection Legislation. "Data Protection Legislation" means the Data Protection Acts 1988 and 2003 and Directive 95/46/EC, any other applicable law or regulation relating to the processing of personal data and to privacy (including the E-Privacy Directive), as such legislation shall be amended, revised or replaced from time to time, including by operation of the General Data Protection Regulation (EU) 2016/679 ("GDPR") (and laws implementing or supplementing the GDPR).

We fully respect your right to privacy in relation to your interactions with us via the Website, the Mobile App and over the phone and in any other form of communication with the Company and endeavour to guarantee to be transparent in our dealings with you as to what information we will collect, and how we will use your information.

We need to use your personal data in accordance with this Privacy Policy in order to carry out our business as an energy supplier and to manage our account with you, including energy monitoring via our smart pay meter referred to below. You may be re-contacted as part of the sales process or the customer retention process, as required, and by providing your consent to this Privacy Policy, you consent to this.

We only collect and use individual user details where we have your consent to do so, or it is necessary for the performance of a contract between us and you, or it is necessary for our legitimate interests and where we are legally entitled to do so under Data Protection Legislation. Where you have provided your consent to our collection and use of your personal data, you are entitled to withdraw such consent by notice to us (see 'How to contact us' below).

All the personal data that you provide to us must be accurate and up-to-date. You must tell us about any changes to such information as soon as possible. You must provide us with your contact details, including your current email address and your current postal address and we are allowed to use these details to contact you in relation to your contract with us. You must also provide us



with your MPRN. It is particularly important that you provide us with up-to-date and accurate contact details as soon as possible and keep us informed of any changes to your contact details.

Examples of information we collect from our customers:

- Name
- Address
- Customer Account Number
- Date of Birth
- Phone number
- Secondary phone number if applicable
- Email address
- 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
- 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 phone, 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 a customer survey.

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

- Provide the energy supply services; and
- Provide you with information in accordance with the "Marketing" section below



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.

HOW DO WE COLLECT INFORMATION FROM YOU?

IP Addresses

We automatically collect IP addresses from visitors to our Website and Mobile App (an IP address is a number that can uniquely identify a specific computer or other network device on the internet or over the phone) and log these IP addresses as part of the



connection of your computer to the Company's web server. This allows us to identify the location of users, to block disruptive use and to establish the number of visits from different countries. We analyse this data for trend and statistics reasons, such as which parts of our Website or Mobile App users are visiting, how many times and how long they spend there.

Cookies

We collate information on all our Website and Mobile App traffic that is represented in aggregate format through cookies. It is important to note that a cookie will not provide us with personal data, therefore if you have not supplied us with any personal data you can still browse the Website and/or use the Mobile App anonymously. By using the Website, the Mobile App and / or accepting our Privacy Policy, you are agreeing to the placement of cookies on your device unless you specifically choose not to receive cookies.

What is a cookie?

A cookie is a small text file which is placed onto your computer (or another 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 well 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

1. Strictly Necessary
 - These allow you to move around the website & use all the basic features
2. Functionality
 - These cookies improve the way the site works by storing your preferences
3. Performance cookies
 - These cookies improve your user experience of the website
4. Targeting & Advertising
 - These cookies are used to help us better understand our advertising campaigns and how we can make them 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 for the service to function properly. If you disable cookies, you may not be able to avail of some of our online services.

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

Registration Process

To register as a customer or if you wish to enquire about our services we need to collect information via our Website, our Mobile App or over the phone or any other form of communication such as, at a minimum, your name, email address and a password. You will be asked to give your consent to our use of your personal data during this registration process. We may also ask some further questions, so we can gain a clearer understanding of what you are interested in, in order to personalise the information that we give you. (You can update your personal data held and change your stated interests. You may unsubscribe from receiving updates by emailing dataprotection@avidenergy.co.uk – We may ask different questions for different services. We may also ask you to complete surveys that we use for research purposes, although you do not have to respond to them. To register on the Mobile App, you will need to follow the Mobile App Download Process set out on the Website. Applications developed by us but deployed on other platforms such as social media channels may provide feedback to us on activity and usage specific to a user.

HOW DO WE USE THE INFORMATION WE COLLECT?

We collect information about you so that we can:

- Identify you and manage any accounts you hold on 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.

We wish to remind you that this Privacy Policy applies to personal data that we collect/process through your use of the Website and Mobile App. It does not apply to any links to third-parties' websites and/or services, such as third-party applications, that you may encounter when you use the Website and Mobile App. You acknowledge that the service that we provide may enable or assist you to access the website content of, correspond with, and purchase products and services from, third parties via third-party websites and that you do so solely at your own risk. We make no representation or commitment and shall have no liability or obligation whatsoever in relation to the content or use of, or correspondence with, any such third-party website, or any transactions completed, and any contract entered into by you, with any such third party and the use by any such third-party of your personal data. We do not endorse or approve any third-party website nor the



content of any of the third-party website made available via the Website and Mobile App. We encourage you to carefully familiarize yourself with terms of use and privacy policies applicable to any websites and/or services operated by third parties. Please be aware that we are not responsible for the privacy practices of any such third-parties. By using the Website and Mobile App, you accept the privacy practices described in this Privacy Policy.

The personal data that we collect from you may be transferred to and stored by the Company. It may also be processed by staff of the Company. By submitting your personal data, you agree to this transfer, storing or processing of your personal data by the Company for the purposes set out above.

WHO WE SHARE PERSONAL DATA 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 license or the industry rules;
- Our business partners in accordance with the “Marketing and opting out” section.
- In the event that we sell or buy any business or assets, we may disclose your personal data on a confidential basis to our professional advisers, the prospective seller or buyer of such a business or assets or their professional advisers, if the company or substantially all of its assets are acquired by a third-party, your personal data held by us will be part of the transferred assets.



ARE THERE CASES WHERE WE MAY USE YOUR PERSONAL DATA TO CONTACT YOU?

We may contact you:

- as your electricity or gas supplier we may choose to contact you in relation to your account or in relation to your supply;
- as your electricity or gas supplier we may contact you where there are periods with no top up activity or where consumption does not balance with your supply;
- for reasons highlighted in our Terms and Conditions and Code of Practice;
- for administration reasons related to the electricity or gas service to which you have signed up (e.g. to provide you with password reminders or to notify you that a particular service, activity or online content has been suspended for maintenance, or in response to a question that you ask us);
- to provide you with information about our services, activities or online content;
- to provide you with selected promotions and offers; and
- to invite you to participate in surveys about our services (participation is always voluntary).

Where we wish to use your personal data in any other way not set out in this Privacy Policy, we will ensure that we notify you first. You will also be given the opportunity to withhold or withdraw your consent for the use of your personal data for purposes other than those listed in this Privacy Policy via an easy method of unsubscribing from future messages at no cost to you.

WHERE WE STORE YOUR PERSONAL DATA?

The personal data that we collect from you may be transferred to, and stored at, a destination outside the European Economic Area (the "EEA"). It may also be processed by staff operating outside the EEA who work for us or for one of our suppliers. By submitting your personal data, you agree to this transfer, storing or processing. We will take all steps reasonably necessary to ensure that your personal data is treated securely and in accordance with this Privacy Policy. The safeguards in place with regard to the transfer of your personal data outside of the EEA are the entry by us into appropriate contracts with all transferees of such personal data.

All information you provide to us is stored on our secure servers. Where we have given you (or where you have chosen) a password which enables you to access certain parts of our Website or



Mobile App, you are responsible for keeping this password confidential. We ask you not to share a password with anyone.

Your personal data may be transferred to the distribution system operator for the purpose of maintaining and operating supply to the premises. Your personal data may also be transferred to the "Supplier of Last Resort" in the event of a direction from the Regulator, in respect of any requirements which apply to customers in relation to safety or network related activity.

HOW WE PROTECT YOUR PERSONAL DATA?

The security of personal data is important to us. We restrict access to personal data to employees, contractors and agents who need to know such personal data in order to operate, develop or improve the services that we provide.

We do our utmost to protect user privacy through the appropriate use of the security technology: we ensure that we have appropriate physical, technological and organisational security measures to protect your information and we ensure that when we outsource any processes that the service provider has appropriate security measures in place, and we have contracts in place with such service providers to ensure that this is the case. We will implement appropriate technical and organisational measures to ensure a level of security appropriate to the risks that are presented by the processing of your personal data. In particular, we will consider the risks presented by accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data transmitted, stored or otherwise processed.

The personally identifiable information we collect about you is stored in limited access servers. We maintain safeguards to protect the security, integrity and privacy of these servers and your personally identifiable information.

Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of any data transmitted to our Website or through our Mobile App and any such transmission is at your own risk. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorised access. We are not responsible for any delays, delivery failures, or any other loss or damage resulting from (i) the transfer of data over communications networks and facilities, including the internet, or (ii) any delay or delivery failure on the part of any other service provider not contracted by us, and you acknowledge that the Website and Mobile App may be subject to limitations, delays and other problems inherent in the use of such communications facilities. You will appreciate that we cannot guarantee the absolute prevention of cyber-attacks



such as hacking, spyware and viruses. Accordingly, you will not hold us liable for any unauthorized disclosure, loss or destruction of your personal data arising from such risks.

WHAT CAN YOU DO TO KEEP YOUR 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.

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, compliance, and obtaining your consent to this Privacy Policy and the Terms & Conditions.

WHAT RIGHTS DO YOU HAVE?

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

- The right of access to personal data relating to you;
- The right to correct any mistakes in your personal data;
- 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; and
- The right to complain to the ICO if you believe we have not handled your personal data in accordance with the Data Protection Legislation

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 or cumbersome, in which case we will respond within three months (we will inform you within the first month if it will take longer than one month for us to respond). Where a response is required from us within a particular time period pursuant to Data Protection Legislation, we will respond within that time period.

a) 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 the following information:

- The purposes of the processing;
- The categories of personal data concerned;
- The recipients or categories of recipient to whom the personal data has been or will be disclosed, with a special focus on recipients outside of the EEA;
- Where possible, the envisaged period for which the personal data will be stored, or, if not possible, the criteria used to determine that period;
- The existence of the right to request from the controller rectification or erasure (if applicable) of personal data or restriction of processing of personal data concerning the data subject or to object to such processing;
- The right to lodge a complaint with the supervisory authority;
- Where the personal data is not collected from the data subject, any available information as to their source;
- The existence of automated decision making, including profiling, and, at least in those cases, meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject;
- A copy of such personal data and the categories of data held (Only if this action will not adversely affect the rights and freedoms of others).

Requests for your personal data must be made to us (dataprotection@avidenergy.co.uk) specifying what personal data you need access to, 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.

We are entitled to refuse a data access request from you where (i) such request is manifestly unfounded or excessive, in particular because of its repetitive character (in this case, if we decide to provide you with the personal data requested, we may charge you a reasonable fee to account for administrative costs of doing so), or (ii) we are entitled to do so pursuant to Data Protection Legislation. If we decide to refuse to comply with the data access request, we will send you an email or a letter setting out why and advising you that you may complain to the Information Commissioner's Office.

Upon receiving a Subject Access Request, we may call you to confirm you have sent a mail to request this information. This is simply to confirm your identity. Similarly, if you make a subject access request over the phone, we will ask you to send an email also. This is a security measure to avoid the disclosure of data to an unauthorised third party.

b) Right to update your personal data or correct any mistakes in your personal data

You can require us to correct any mistakes in your personal data (including any of your identification documents) which we hold free of charge. If you would like to do this, please:

- Email, call or write to us (see "How to Contact Us" at the end of this document)
- 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

If we are required to update your personal data, we will inform recipients to whom that personal data have been disclosed, unless this proves impossible or has a disproportionate effort.

It is your responsibility that all of the personal data provided to us is accurate and complete. If any information you have given us changes, please let us know as soon as possible either by writing to us at Data Control Manager, Avid Energy, Maple House, High Street, Potters Bar, Hertfordshire, EN6 5BS or by emailing us at dataprotection@avidenergy.co.uk specifying your account/ MPRN on all correspondences.

c) The 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 to Contact Us" at the end of this document). 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 license 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 (e.g. you may be happy for us to contact you by email but not by telephone).

We will provide you with information on action taken on a request to stop direct marketing - this may be in the form of a response email confirming that you have 'unsubscribed'.

d) 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 have any decision reviewed by a member of staff.

Profiling may occur in relation to your personal data for the purposes of targeted advertising and de-targeting you from specified advertising. This allows us to tailor our advertising to the appropriate customers and helps to minimise the risk of you receiving unwanted advertising.

These rights will not apply in all circumstances, for example where the decision is (i) authorised or required by law, (ii) necessary for the performance of a contract between you and us, or (ii) is based on your explicit consent. In all cases, we will endeavour that steps have been taken to safeguard your interests.

e) Right to restrict or prevent processing of personal data

In accordance with the Data Protection Legislation, 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

If you exercise your right to restrict us from processing your personal data, we will continue to process the data if:

- You consent to such processing;
- The processing is necessary for the exercise or defence of legal claims;
- The processing is necessary for the protection of the rights of other individuals or legal persons; or
- The processing is necessary for public interest reasons

f) Right to Data Portability

In accordance with Data Protection Legislation, 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. This right only applies to personal data that you have provided to us – it does not extend to data generated by us.

The right to data portability also only applies where:

- The processing is based on your consent or for the performance of a contract; and
- The processing is carried out by automated means

g) Right to erasure

In accordance with Data Protection Legislation, you can ask us to erase your personal data where:

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

We may continue to process your personal data in certain circumstances in accordance with Data Protection Legislation.

Where you have requested the erasure of your personal data, we will inform recipients to whom that personal data has been disclosed, unless this proves impossible or involves disproportionate effort. We will also inform you about those recipients if you request it.

Data will not be erased when retention of the data is necessary for any of the below:

1. For exercising the right of freedom of expression and information;
2. For compliance with a legal obligation which requires processing by Union or Member State Law to which the controller is subject or for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;
3. For establishment, exercise or defence of legal claims.

There is a regulatory requirement for us to hold the data for 5 years.



h) Right to complain to the ICO (Information Commissioner's Office)

If you do not think that we have processed your data in accordance with this Privacy Policy, please contact us in the first instance at dataprotection@avidenergy.co.uk. If you are not satisfied, you can complain to the ICO or exercise any of your other rights pursuant to Data Protection Legislation. Information about how to do this is available on his website at <https://ico.org.uk/>

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 you inform us that you (or a member of your household) need extra care (for example, because of your age, health, disability or financial circumstances), we may record this in the information we hold about you. 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 your information with:

- the electricity or gas distributor, social services, charities, health-care and other support organisations, if we believe at any time that they may be able to help you, or the other members of your household, by making sure there is an electricity supply to the address you provide to us;
- other energy suppliers if we believe you are considering changing supplier; and
- the relevant metering agents or electricity or gas distributor.

For the avoidance of doubt, your consent to the terms of this Privacy Policy constitutes your consent to our use of your personal data as set out in this section. This includes, in particular, sensitive information about yourself or other people in your household who will be regularly utilising energy under this Privacy Policy (such as health details for recording of vulnerable customer details). Individuals who have provided such direct permission agree that we can use this information in the way set out in this Privacy Policy.



We 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.

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 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 licenses).

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.

ONLINE PAYMENTS

The Company may collect financial information such as credit card information when a payment is made. We do not share this information with anyone outside the Company, other than other companies and individuals we employ to perform functions on our behalf such as sending mail and processing payments and this information will not be kept for longer than necessary for providing the services. Any such third-party service providers will be subject to contractual provisions which safeguard the security of your personal data. Any such company or individual will have access to personal data needed to perform these functions but may not use such personal data for any other purpose. GPUK LLP T/A Global Payments are the company used to process payments. GPUK LLP are regulated by the Financial Conduct Authority (504290) for the provision of payment services. Their credit card storage environment is maintained to PCI DSS V3.2.1 level 1 compliance.



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.

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 022 611.



CONSENT

- Via the website

By accessing services offered by us or by providing information to us via our Website, you consent to the collection and use of this information as outlined in this Privacy Policy. By providing any personal data to us, you fully understand and clearly consent to such use and transfers as set out in this Privacy Policy.

- Via the Mobile App

By accessing services offered by us or by providing information to us via our Mobile App, you consent to the collection and use of this information as outlined in this Privacy Policy. By providing any personal data to us, you fully understand and clearly consent to such use and transfers as set out in this Privacy Policy.

- Over the Phone

By accessing services offered by us over the phone or by providing information over the phone, you consent to the collection and use of this information by us as outlined in this Privacy Policy. By providing any personal data to us, you fully understand and clearly consent to such use and transfers as set out in this Privacy Policy.

- By Any Other Means

By accessing services offered by us by any other means, you consent to the collection and use of this information by us as outlined in this Privacy Policy. By providing any personal data to us, you fully understand and clearly consent to such use and transfers as set out in this Privacy Policy.

RETENTION OF PERSONAL DATA

Any information that you provide to us will be kept and stored for such period of time that the Company deems necessary considering the purpose for which it was collected in the first instance, and our obligations under Data Protection Legislation.

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

BREACH REPORTING

We will notify data breaches to the relevant Data Protection Authority, without undue delay, and where feasible, not later than 72 hours after having become aware of same. If notification is not made after 72 hours, we will provide a reasoned justification for the delay; however, it is not necessary to notify the relevant Data Protection Authority where the personal data breach is unlikely to result in a risk to the rights and freedoms of natural persons. A personal data breach in this context means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed.

We will keep a record of any data breaches, including its effects and the remedial action taken, and will notify you of any data breach affecting your personal data (which poses a high risk to you) when we are required to do so under Data Protection Legislation. We will not be required to notify you of a data breach where:

- we have implemented appropriate technical and organisational measures that render the personal data unintelligible to anyone not authorised to access it, such as encryption; or
- we have taken subsequent measures which ensure that the high risk to data subjects is not likely to materialise; or
- it would involve disproportionate effort, in which case we may make a public communication instead.

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

CHANGES TO THE PRIVACY POLICY

This Privacy Policy may be updated from time to time, so you may wish to check it each time you provide personal data to us. The date of the most recent revisions will appear on the first page of this Privacy Policy. If you do not agree to these changes, please do not continue to use the Website or Mobile App to submit personal data or submit personal data to us in any other way. We will not use your personal data in a manner different from this Privacy Policy without your consent.

LEGAL INFORMATION AND HOW TO CONTACT US

How we may contact you

- 1) Notices required under this Privacy Policy, or other forms of communication that we need to send to you, will be in writing and may be delivered by hand, sent by post, sent by email, published on our website, published on our Mobile App and/or my notice in a daily national newspaper.
- 2) Any notices that we send to you by hand or by post will be sent to the most recent billing address (or alternative address if relevant) provided by you to us. We will assume that you have received hand delivered notices within 24 hours of delivery and posted notices within 5 working days after posting, unless we receive evidence to the contrary.
- 3) Any notices that we send to you by email will be sent to the most recent email address provided by you to us. We shall assume that you have received emails on the same working day unless we receive evidence to the contrary.

How to contact us

- 1) Our postal address is Avid Energy, Maple House, High Street, Potters Bar, Hertfordshire, EN6 5BS
- 2) Our telephone number is 0330 022 611; or
- 3) Our email address for matters relating to this Privacy Policy:
dataprotection@avidenergy.co.uk

We reserve the right to contact you at any time regarding any problems or questions as well as to notify you of changes to the Privacy Policy or to other policies or terms that affect you and your use of the Website, the Mobile App or our services, but we are not obliged to do so. If you have any questions about this Privacy Policy, the contents of this Website, our Mobile App or our services, you can contact us at dataprotection@avidenergy.co.uk