

## 1. PURPOSE OF OUR PRIVACY STATEMENT

Under the Data Protection Act and the General Data Protection Regulation, we are required to explain to you why we are asking for information about you, how we intend to use the information you provide to us and whether we will share this information with anyone else.

## 2. Who are we?

We are Clever Energy Ltd and we are the Data Controller and Data Processor.

Our contact details are:

Unit 9, Knoll Street Industrial Park  
Salford, Manchester  
M7 2BL  
0203 603 6011  
[privacy@clever-energy.co.uk](mailto:privacy@clever-energy.co.uk)

## 3. Our data protection officer

Our Data Protection Officer is responsible for overseeing what we do with your information and monitoring our compliance with data protection laws.

If you have any concerns or questions about our use of your personal data, you can contact our Data Protection Officer by writing to

The Data Protection Officer,  
Unit 9, Knoll Street Industrial Park  
Salford, Manchester  
M7 2BL

or email [privacy@clever-energy.co.uk](mailto:privacy@clever-energy.co.uk)

## 4. Who is this for?

This privacy statement is targeted at all individuals we interact with:

- Our clients and customers.
- People we invoice as part of our billing services.
- Energy industry suppliers

- Members of the public
- Our own employees.
- Consultants and advisors.
- Other stakeholders we interact with to deliver our services

## 5. Why are we collecting your information?

We are collecting and or processing your information in order to fulfil our commercial purposes and provide the services of our company. For full list of our services, please visit our website [www.clever-energy.co.uk](http://www.clever-energy.co.uk).

## 6. What information are we collecting?

All the information we collect about you will be stored and used by us in accordance with this privacy statement and in accordance with your rights as described in Section 12 of this statement under the Data Protection Act and the General Data Protection Regulation.

### Personal data

The information which we process about you is collected:

#### Personal data provided to us.

Your personal data is most usually past to us by our customer or client, who is responsible for the **supply**, of one, or more, of the following services [**'UTILITY SERVICES'**] to your premises such as (but not exclusively):

Gas, water, electricity, hot water (through a communal or district heating network), or cooling system.

The customer or supplier of these 'UTILITY SERVICES', is likely to be the management agent, freeholder, Developer, or landlord of a property which you rent, own or sublet and/or where you use or used at least one of the 'utility services'

To recover the expenditure for the supply of these services, the customer will appoint us as their billing and collection agent. In order to facilitate the billing and collection for the use of these services, they will pass to us your personal data.

The customer warrants to us that they have the authority to pass on your data and they or fully compliant with data protection regulations. (The authority will usually be a clause in the lease agreement)

#### Personal data you give us.

We may ask you directly for your personal data when we correspond with you by e-mail, letter or

telephone, in order to fulfil our contractual obligations as a billing service provider. This is data obtained by your consent.

The information which we collect about you through the above processes will typically be your name and contact information such as postal address, email address and telephone numbers, financial information, contact history, meter data that identifies and records usage of one or more of the 'UTILITY SERVICES'.

## 7. What is the lawful basis for using your information?

### *Personal data*

In accordance with the data protection laws, we need a "lawful basis" for collecting and using information about you. There are a variety of different lawful bases for processing personal data which are set out in the data protection laws.

The lawful bases on which we rely in order to use the information which we collect about you for the purposes set out in this notice will be:

We have a Legitimate interest in processing your personal data and it would not be possible to perform our function as a billing service provider without processing your data.

Or,

Using your information is necessary to fulfil a contract you have with us (most usually because you are a supplier of one or more of the 'UTILITY SERVICES', and you have contracted with us to provide one of our services or products such as, billing, metering installation, metering monitoring and/or data collection, debt management, and pre-payment systems.

## 8. What are we going to do with your information?

### *Personal data*

We use personal data held about you in the following ways:

- To provide end users with fully-itemised Utility services bills.
- To Record, monitor, and manage your daily consumption data of 'UTILITY SERVICES'.
- To monitor systems to ensure they are functioning correctly.
- To manage payments for usage of these 'UTILITY SERVICES'.
- Chasing unpaid debts/balances by, letter, email, phone or otherwise.

- Taking payments over the phone or via an automated system.
- To update and/or correct details on our system such as change of tenancy and name changes.
- To provide reports to third parties who have contracted for our services. These reports include, tariff and charge reviews, outstanding debts, details of client fund transfers and general advice.
- To comply with any applicable legal obligation.
- To supply you with requested information.
- To fulfil any contractual obligations between us.
- To assist us in keeping our Products safe.
- Provided you have expressly opted-in; to provide you with marketing material about other goods and services that we provide that are congruent with those which we previously had correspondence or business dealings with you.
- To notify you about changes to our Products or Services which you have purchased from us and/or made enquiries about.

## 9. Sharing your information

### Contractors and sub-contractors

#### DISCLOSURE OF YOUR PERSONAL DATA

It may be necessary to share your information with our contractors and sub-contractors so they can provide a service to you or to enable us to deliver our services.

We will ensure that a contract is in place between us and the contractor so that the contractors or sub-contractors will only be able to use the information while carrying out work on our behalf. They will not share your data. They will be required to adhere all relevant data protection requirements including GDPR. Subject to a contract ensuring compliance with DPA and GDPR, we may share your personal data with:

- Any department within Clever Energy Ltd.
- Where we are contracted by a third party to provide any of our services on their behalf to you, we may share your information with that third party.
- Our sister companies, Affiliated Utilities Ltd and Utility Tracker
- Third parties who can provide further associated services.
- Third parties for marketing purposes, if you have given consent.
- Potential, or actual, buyer(s) of any part of our business.
- Potential seller (s) of any asset to our business.

- A recognised statutory body or regulator, where we are under a duty to disclose or share your personal data in order to comply with any legal obligation, or where there is legitimate legal basis to do so.
- Other companies, organisations, consultants, advisors, solicitors, legal enforcement agencies such as the courts or police, in order to:
  - Recover a debt, obtain damages or other relief.
  - Prevent fraud
  - Reduce risk to credit
  - Enforce our contractual terms
  - Protect the safety, property, or rights of Clever Energy Ltd, our clients or others.

## 10. Security of your personal information

We treat the security of your personal data very seriously.

Our security procedures, which are audited and reviewed, include:

- Storing your information securely on our electronic systems
- Storing, when necessary, using paper files, which will be held under lock and key.
- Only relevant staff members will have access to the information.
- Members of staff receive data protection training.
- External drive features are disabled on our computers.
- Our building is locked and alarmed when not in use.
- Any payment transactions will be encrypted.
- If you have a password in order to access any of our online services, you must keep it confidential.
- We shall notify you and the Information Commissioner's office, as soon as we become aware that a personal data breach has occurred and we have procedures in place to minimize the damage that may be caused in those circumstances.

## 11. Storing your information and deleting it

We shall only retain personal data for as long as is necessary for the legitimate purposes for which the personal data is processed. When those purposes come to an end, we shall securely delete the personal data unless the retention of the personal data is required and allowed for in accordance with GDPR or other applicable provisions under the Data Protection legislation.

Your personal data will be stored within the European Economic Area (EEA). If it becomes essential for us to transfer your personal data to a country outside of the EEA we will ensure that your personal data has the same level of security as if it remained within the EEA.

## 12. Your rights

In relation to the information which we hold about you, you are entitled to:

- see a copy of the information;
- ask us to erase the information,
- request the rectification of inaccurate information.
- request that we restrict what we do with your information.
- ask that we stop using your information.
- Object to direct marketing based on your personal data.
- Request we transmit your data to another party.
- Have your personal data provided to you in a structured and commonly used format.
- If we are using your information with your consent, you are entitled to withdraw your consent at any time. You can do this by writing to us at:

Unit 9, Knoll Street Industrial Park  
Salford, Manchester  
M7 2BL

or emailing [privacy@clever-energy.co.uk](mailto:privacy@clever-energy.co.uk)

- complain to the Information Commissioner's Office (the "ICO") if you are not satisfied with the way we use your information. You can contact the ICO who's details are available at [www.ico.org.uk](http://www.ico.org.uk).

Our obligations to comply with the above rights are subject to certain exemptions.

## 13. Making an application in respect of your rights:

Contact us at Unit 9, Knoll Street Industrial Park, Salford, Manchester, M7 2BL with your request providing proof of identity.

Usually we will action the request within one month. If, however, the request is very complex or we receive a large number of requests, the time frame may be extended for a further two months.

## 14. Policy Review.

Our policy will be reviewed periodically and any changes will be posted on our website, and where applicable, you will be notified by e-mail.