

Eversmart Energy Limited

Privacy Policy

Last Updated: 26 March 2019

Customer/user data protection and security is very important to us. This Privacy Policy lets you know what happens to any personal information that you provide to us, or any that we may collect from you.

This policy applies only to personal information processed by or on behalf of Eversmart Energy Limited. Where our website contains links to other sites, those sites are outside of our control and they are responsible for any data you provide them. We recommend you check their own privacy policies if you are providing them with your personal information.

We may collect information from you when you visit our website, apply for or provide us with goods or services, contact us by telephone or email or receive a communication from us relating to your service or our relationship.

Changes to this policy

Data security is important to us, and as such we will keep this policy under review. We may, therefore, change this policy from time to time by updating this page in order to reflect changes in the law and/or our privacy practices. We will update the date at the top of the policy accordingly. We encourage you to check this policy for changes when you revisit the Website.

About us and how to contact us

We are Eversmart Energy Limited. You can contact us at 03301027901 or contact or by emailing hello@eversmartenergy.co.uk Our address is:

Eversmart Energy Limited
24-26 Brindley Road,
Strelford,
Manchester,
M16 9HQ

If you have a specific question about our privacy policy or how we use your personal information, you should contact us at the above address or below email address; please mark your communication as "Privacy Policy Enquiry".

We have a dedicated Data Protection Officer to ensure that we process your personal information appropriately. You can contact Barney Cook at GDPR@eversmartenergy.co.uk

What personal information do we collect, and how?

We will collect and process your personal information in accordance with our application process and terms and conditions.

If you make an enquiry via this website, on the telephone or via email, or via any third party (including a referral website), we will collect the information you provide to us, together with any information provided by that third party. We may monitor and record telephone and written correspondence with you to train our staff and monitor our services.



[/eversmartenergy](https://www.facebook.com/eversmartenergy)



[/eversmartenergy](https://twitter.com/eversmartenergy)



[/eversmartenergy](https://www.instagram.com/eversmartenergy)

We also obtain information from other sources, including your previous supplier or customers, credit reference agencies, debt collection agencies, third party meter operators, distributors, industry service providers, regulators, outsourcers, switching sites and, in the case of suppliers or contacts, marketing agencies or lead generation companies.

If you have provided information to a review, feedback or comparison website, we may receive information about you from that website, in accordance with their privacy policy.

We may use your information in the following ways:

Personal Information	Basis of Processing	Purposes of processing
<ul style="list-style-type: none"> Name Contact details Financial details Financial status Property details Energy usage Information, including meter details Details of contact with us (including call recordings) 	<ul style="list-style-type: none"> It is necessary for the performance of our contract with you, or to take steps for entering into our contract with you 	<ul style="list-style-type: none"> To help us identify you To provide you with the goods/services you have requested (or are providing to us) and to set up and manage your account To collect/process payments and recover debts To help detect debt, fraud or loss To provide loyalty and incentive schemes of which you are a member
<ul style="list-style-type: none"> Name Contact details Financial details Financial status Property details energy usage information, including meter details Details of contact with us (including call recordings) Web usage statistics Personal Health Information (Where collected for industry requirements such as the PSR (Priority Services Register) for more information click the below link: Priority Services Register 	<ul style="list-style-type: none"> It is necessary to achieve our legitimate interests Our legitimate interests include managing our business and business processes; managing risk; improving our sales and service provision; improving and changing our services and processes and marketing to you 	<ul style="list-style-type: none"> To analyse your account history and improve our services (or the goods/services you are providing to us) To determine whether you are using the most appropriate payment method To help run (and contact you about improving the way any accounts, services or products are run) To develop and provide loyalty and incentive schemes To manage our risks and improve our business practices To help prevent and detect debt, fraud or loss To help train our staff To market to you by post or telephone To market to you by email or other electronic means To contact you regarding our services including market research and other surveys As part of government or industry data sharing initiatives, for example, those designed to help stop fuel poverty (where people cannot afford to pay for heating and electricity) or as part of the Energy Retail Association "safety net procedures" To create statistics, test computer systems, analyse customer information (for example, energy usage or other information collected by devices provided by us), create profiles and create marketing opportunities (including using information about what you buy from us and how you pay for it, for example, the amount of gas you use and any discounts we have offered you)
<ul style="list-style-type: none"> Name Contact details 	<ul style="list-style-type: none"> It is necessary for us to comply with a legal obligation or to 	<ul style="list-style-type: none"> As part of government or industry data sharing initiatives, for example, those



<ul style="list-style-type: none"> • Financial details • Financial status • Property details • energy usage information, including meter details • Details of contact with us 	<p>protect the vital interests of you or another individual</p>	<p>designed to help stop fuel poverty (where people cannot afford to pay for heating and electricity) or as part of the Energy Retail Association “safety net procedures”</p> <ul style="list-style-type: none"> • To respect your rights under data protection or other legislation • To help maintain your, and the members of your family or household’s health, safety and security
<ul style="list-style-type: none"> • Name • Contact details • Financial details • Financial status • Property details • energy usage information, including meter details • Details of contact with us • Web usage statistics 	<ul style="list-style-type: none"> • You have given us your consent 	<ul style="list-style-type: none"> • To market to you by email or other electronic means, if you are an individual, sole trader or partnership

The provision of your personal information is not a statutory requirement, however, all of the information marked (*) on our customer application forms or notified to you as being required when you speak to a customer services representative is required in order to enter into a contract to receive our services. This is because we are unable to provide the relevant service and appropriately manage the service without this information.

We protect your interests by making it easy for you to control the way in which we use your information. For more information, see Controlling Your Personal Information.

Details relating to any transactions will be encrypted to ensure their safety. Transmission of information online is not 100% secure and we cannot guarantee the security of data sent to us in this way. Transmission of data over the internet is at your own risk. If you use a password to access our site, you are responsible for keeping this password safe.

We may also obtain information about your computer, including where available your IP address, operating system and browser type in accordance with our cookies policy.

Aggregated information

We may also convert your personal information into anonymous data and use it for research and analysis. Anonymised aggregated personal information does not personally identify you, and as part of our internal data protection measures, we will take all reasonable steps to ensure it is not possible for any identifiable information to be reverse engineered from the data.

Who do we share personal information with?

We may share your personal information with other Eversmart companies who are members of our group for the purposes of shared services or business management and optimisation. These group companies are located within the EEA.

We may also share your information:

- To give effect to any authority you have given for a third party to act on your behalf, including members of your family or household, landlords or letting agents;
- With review or feedback sites that you have engaged with;
- A new provider should you wish to move supplier or if your contract with us ends;
- Where we need to share your information with third parties to provide goods/services you have asked for (or are providing to us), for example with third party meter operators or distributors in order to administer your account;



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- If you have obtained insurance with or via us, to the relevant insurer or underwriter in order to manage the insurance policy or deal and any claims. You should consult the relevant insurer's privacy policy to see how they will handle your personal information;
- To help to prevent and detect debt, fraud or loss (for example by sharing information with fraud prevention or credit reference agencies);
- With debt collection agencies, who may collect any debt should you fail to pay money owed to us;
- As part of government or industry data sharing initiatives, for example, those designed to help stop fuel poverty (where people cannot afford to pay for heating and electricity);
- If we have been asked, for example, by Ofgem or a lawyer, to provide information about you for legal or regulatory purposes.

We may disclose your personal information to third parties if we are under a duty to disclose or share your personal information, in order to comply with any legal regulations or good governance obligations, or in order to enforce or to protect our rights, property, or safety, or that of our customers or other persons with whom we have a business relationship, or to purchasers or prospective purchasers in relation to a disposal of our business or assets.

Finally, we may use third party service providers to support our provision of the service. This includes for the provision of direct services related to the provision of energy to you, including:

- transporters;
- metering equipment agents; or
- network operators;

or other, less direct, business functions, including IT support or hosting our data on cloud platforms.

We will have in place an agreement with our service providers which will restrict how they are able to process your personal information. If any service provider is based outside of the European Economic Area, we will ensure that the provider is either a current subscriber to the EU/US Privacy Shield, or we have an appropriate contract for the international transfer of personal information with them. If you would like to see a copy of any relevant provisions, please contact GDPR@eversmartenergy.co.uk

Special Categories of Personal Information

We do not systematically collect personal information which may be particularly sensitive, for example health information.

However, we may collect this personal information if it is provided to us by you or on your behalf. We process this personal information where it is necessary for the purposes of performing obligations we have in relation to social protection, or to safeguard you if you are at risk. This may include adding your details, with your permission, on to the industries Priority Service Register.

We may record such information if we believe that you, or anybody using or visiting a site, need extra care, for example, because of your or their age, health, disability or financial circumstances.



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We will use this information if we believe you are in danger of being cut off and may need extra help. We may share this information with:

- A new supplier so that they can begin supplying you;
 - Social services, medical or healthcare professionals, charities and other similar support organisation if we believe at any time that you cannot look after yourself or other people using or visiting the site by making sure there is an energy supply to the site;
 - Other energy suppliers, as part of the Energy Retail Association “safety net procedures” if we believe you are thinking of changing supplier;
 - The relevant transporter, metering equipment agents or network operator in accordance with the relevant codes of practice.
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Controlling your personal information

- You may withdraw your consent to receiving marketing at any time by emailing GDPR@eversmartenergy.co.uk or calling our customer service time on 03301027901

It is important to us that you are in control of your own information. As a result, we offer the following controls:

- You may request access to copies of the personal information that we hold about you. If you would like to exercise this right, please contact us at GDPR@eversmartenergy.co.uk or the address above. We may charge a reasonable fee when a request is unfounded or excessive. We may not process/ accept a request for information where we are not required to do so by law or without appropriate identification and/ or proof of address
- If you believe that any information, we have about you is incorrect or incomplete, please contact us at GDPR@eversmartenergy.co.uk as soon as possible. We will take steps to seek to correct or update any information if we are satisfied that the information, we hold is inaccurate. You may request that we restrict our processing;
- You may request that your personal information be deleted, where it is no longer necessary for the purposes for which it is being processed and provided there is no other lawful basis for which we may continue to process such information;
- If we are processing your personal information to meet our legitimate interests (as set out above), you may object to the processing of your personal information by us. If we are unable to demonstrate our legitimate grounds for that processing, we will no longer process your personal information for those purposes;
- If you have objected to our processing as set out above, or if we are processing your personal information automatically for the purposes of performing our contract with you, you may have the right to request that the personal information we hold about you be transferred to a third-party data controller
- You may also request that we restrict the processing of your data to that to which you have consented or for the establishment, exercise or defence of legal claims or the protection of the rights of another person, whilst we verify your data as set out in point 2 above; pending verification of our legitimate grounds as set out in point 4 above; or if



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the processing is unlawful or no longer necessary, but you wish us to retain your data for the purposes of establishing, exercising or defending legal claims

- Please contact us if you have any concern about how your personal information is processed at GDPR@eversmartenergy.co.uk and we will try to resolve your concerns. However, if you consider that we are in breach of our obligations under data protection laws, you may lodge a complaint with the Information Commissioner's Office

Retention of Personal Information

If you are a customer, we will retain your personal information whilst you are an active customer of us and for up to six years after you have left the service.

If you are not a customer, we will retain your personal information for up to six years after you provide it to us.

We may retain all call recordings for up to six years from the date of the call.

In certain circumstances, we may be required to retain your personal information for longer, where such retention is required by law or record keeping requirements, including managing our relationship with you, defending any claims, or for tax purposes.



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