

# Privacy Policy for Ørsted – Business Energy Sales in the UK



# 1. Privacy Policy

## for Orsted Sales (UK) Limited and Orsted Power Sales (UK) Limited

When we receive personal data about you, we aim to ensure that you trust we will process your personal data in a transparent and secure manner. Thus, it is important to us that you take the time to read this Privacy Policy, which will inform you of how we handle your personal data.

At Ørsted, we receive data about our customers, visitors, suppliers, shareholders and jobseekers, among others. That is why we have different Privacy Policies. At [orstedbusiness.co.uk](http://orstedbusiness.co.uk), you can find this Privacy Policy, which applies to our customers etc., while you can find a privacy policy governing other relationships at [orsted.com](http://orsted.com).

In some places, this Privacy Policy specifies 'sole traders' in parentheses to indicate that the paragraph is relevant to this customer group only.

By 'sole traders' we mean enterprises where you have a personal liability, rather than limited companies or other formal business entities.

This Privacy Policy also applies to the processing of personal data about people that an enterprise – irrespective of corporate form – uses as contact persons in relation to Ørsted. Enterprises using a contact person in relation to Ørsted must therefore make sure that the contact person is familiar with this Privacy Policy.

In addition to the Privacy Policy, our Cookie Policy, which can be found at [orstedbusiness.co.uk](http://orstedbusiness.co.uk), is applicable.

## 2. Controller

The legal entity which is the controller in respect of the processing of your personal data is:

### Orsted Sales (UK) Limited and/or Orsted Power Sales (UK) Limited

5 Howick Place

London

SW1P 1WG

Tel.: +44 (0) 20 7811 5200

## 3. Categories of personal data

At Ørsted, we collect only necessary data about you. Below, we have described the types of data we collect:

We process the following **general personal data** about you:

Name, business address, email address, phone number, payment information, supply point, your customer number.

### We also process:

- information about login to your account with us
- data about your orders of goods and services as well as consumption and supply information (sole traders)
- recordings of phone calls and correspondence with customer service and/or other employees
- data about your behaviour on our digital services (for example browsers, operating system, the content you look at, etc.)
- consumption patterns, energy habits and energy-consuming equipment (sole traders)
- company registration number, enterprise name and credit rating (sole traders).

In general, we do not process **sensitive or semi-sensitive personal data** about you, with the exception of certain circumstances (see paragraph 5, item 1.1 'Specifically, about credit reference agencies').

Among other things, sensitive data are information about race or ethnic origin, political, religious or philosophical views and the processing of genetic and biometric data for the purpose of uniquely identifying a natural person as well as health information.

'Semi-sensitive' data include information about convictions and criminal offences. We encourage you to not submit or inform us about such data.

## 4. Personal data we receive from other sources

When we collect data from sources other than you, the sources may be:

- public authorities
- distribution and transmission system operators, metering providers and other electricity suppliers
- public sources, including notifications of change of address
- newspapers or the internet
- credit reference agencies (for sole traders)

## 5. We use personal data for the following purposes:

Purpose	Examples	Lawfulness of processing
<p><b>1. Managing potential and existing customer relations</b></p> <p>If you wish to become a customer of Ørsted, we will process the necessary data about you in order to:</p> <ol style="list-style-type: none"> <li>enter into an agreement for the supply of electricity, natural gas, services or any of our products to you; and</li> <li>ensure the unique identification of you.</li> </ol> <p>When you are our customer and under a current agreement, we will process your data for the purposes of managing the agreement to:</p> <ul style="list-style-type: none"> <li>ensure that electricity, natural gas, services or other products are supplied to your business address</li> <li>receive payment for our service(s)</li> <li>identify you when you contact us</li> <li>keep your contact information up to date</li> <li>fulfil other obligations to you or us based on the agreement and applicable law.</li> </ul>	<p><b>Example:</b>  <b>You are a potential customer</b>            If you contact us to talk about a new electricity or gas agreement and ask us to send you an offer, we will use your name, business address and other contact information to make a quote and contact you. If you opt for a different supplier, we may use the information to contact you again when that supply contract is due to end.</p> <p><b>Example:</b>  <b>You are an existing customer with us</b>            We receive information about your business electricity and gas consumption from industry bodies. Based on this information, we will settle the consumption with you and register your payment. If you are a sole trader, this may be personal data.</p> <p><b>Example:</b>  <b>Delivery of products and services</b>            We process your personal data when, for example, you register as – or if you are – an electricity or gas customer with us to ensure that the correct products, services and settlements are provided. For example, names and email addresses are necessary to perform the agreement.</p>	<p>Article 6(1) (b) and (f), of the General Data Protection Regulation.</p> <p>Our legitimate interests are to:</p> <ul style="list-style-type: none"> <li>• ensure that no data are transferred to anyone other than you</li> <li>• be able to market our products</li> <li>• ensure compliance with applicable law.</li> </ul>

Purpose	Examples	Lawfulness of processing
<p><b>1.1. Specifically, about credit reference agencies</b></p> <p>In order to process your application for supply of electricity or gas we will supply your personal information to credit reference agencies (CRAs) and they will give us information about you, such as about your financial history. We do this to assess creditworthiness and product suitability, check your identity, manage your account, trace and recover debts and prevent criminal activity. We will also continue to exchange information about you with CRAs on an ongoing basis, including about your settled accounts and any debts not fully repaid on time. CRAs will share your information with other organisations. The identities of the CRAs, and the ways in which they use and share personal information, are explained in more detail at <a href="http://www.experian.co.uk/crai/index.html">http://www.experian.co.uk/crai/index.html</a>.</p>	<p><b>Example: Credit checks</b></p> <p>Before you become a customer for the supply of gas or electricity, we will assess your creditworthiness to pay for the product. The CRA may send director and shareholder names, partial dates of birth, service address and payment behavior. We may receive details of criminal convictions, which we delete promptly after carrying out the credit check.</p>	<p>Article 6(1) (b) and (f) of the General Data Protection Regulation.</p> <p>Our legitimate interests are to be able to market our products and assess credit risk.</p>

Purpose	Examples	Lawfulness of processing
<b>2. Marketing</b>  We use your business email address and address to send newsletters or electronic marketing. We will not use your personal address or email address and do not market to sole traders unless we have your consent to do so. You may always opt out of newsletters and other marketing by contacting us.	<b>Example:</b> <b>We send you a newsletter</b>  You have given us your email address and we distribute industry information to you which we think may be of interest. We include a click through option to unsubscribe.	Article 6(1) (a) and (f) of the General Data Protection Regulation.  Our legitimate interests are to: <ul style="list-style-type: none"><li>• be able to market our products</li><li>• conduct customer satisfaction surveys</li><li>• improve products and services</li></ul>

If we process your personal data for purposes other than those described above, we will, if we are obliged to do so in accordance with the data protection regulations, notify you of the new purpose prior to initiating the processing.

## 6. Transfer of personal data

We will transfer your personal data to the following categories of recipients:

- Suppliers and dealers with whom we cooperate and who assist our company (meaning service providers (such as printers, marketing agencies, sales and operational service providers, accountants, lawyers, specialist contractors and tradespeople), technical support, supplier services and financial institutions).
- Ørsted's group companies. You can find our companies in our annual report at [orsred.com](https://www.orsred.com).
- Players in the energy industry (transmission and distribution system operators, metering providers and energy suppliers), if it is necessary to process your requests, or if it is required by law or regulations based on the law.
- Your energy broker or service provider if you give them authority to work with us.
- Public authorities and industry bodies.
- If you wish to change to another supplier, we will forward – as agreed with you – your customer data to the new supplier, provided it is technically feasible.

## 7. Transfers to countries outside the EU/EEA

The personal data we collect from you may be transferred to countries outside the EU/EEA. We only transfer personal data outside the EU/EEA if the European Commission has issued an adequacy decision for the country concerned, if we have agreed on the standard contract clauses adopted by the European Commission for these cases with the service provider, or if the company concerned has elaborated their binding corporate rules, which have been approved by the data protection supervisory authorities ([https://ec.europa.eu/info/law/law-topic/data-protection\\_en](https://ec.europa.eu/info/law/law-topic/data-protection_en)). We may transfer personal data to Ørsted's Malaysian subsidiary, which assists us with developing and keeping our IT systems up to date. We allow access to data concerning tenders for the provision of gas and electricity to a sales administration service provider in India. We store certain personal data in the "cloud", which involves information being stored and accessed from servers outside the EU/EEA. Ørsted's Malaysian subsidiary, Indian service provider and cloud provider process this data on behalf of us and are therefore considered data processors.

## 8. Storage of your personal data

We will only store your personal data as long as it is necessary to fulfil the purposes described in item 4 above and/or as required in accordance with applicable law. We will then delete or anonymise your personal data in a secure manner.

Personal data stored to comply with the statutory retention obligations pursuant to tax, financial auditing and health and safety requirements will be stored only until the statutory retention obligations lapse. Personal data stored to record contractual rights and obligations and to enable them to be enforced will be stored until the limitation period applies. This generally means that we keep such data for seven years after the end of our contractual relationship with you (though if you have signed a special contract called a deed it can be twelve). In the event of legal claims or pending litigation, the personal data will be saved until the closing of the proceedings.

If you are a large consumer of energy, personal data stored to enable us to make a future offer for supply of goods or services will be stored for up to five years after you have contacted us concerning our products and services. If you are a small or medium enterprise, it will be stored for one year. We may keep your personal data for longer if we believe that your current supply of goods or services will be in contract for longer than this date so the appropriate point to contact with you for a new offer would be after that point.

We store your contact details for marketing, newsletters and regulatory updates until you notify us that you do not want to receive the communications any longer, or until your contact details change.

We store recorded phone calls for five years after a recording of a phone call.

We store personal data concerning erroneous transfers to a new supplier for four years.

We store direct debit mandates and gas emergency contact details for the period that the contract is live.

If deemed necessary, we may, after a specific assessment, store the data for a longer period than indicated above. This will apply if a dispute with a customer arises; to provide documentation to public authorities or others; and in similar situations.

## 9. Your rights

When we process your data, you have the following

rights:

- You have the right of access to, rectification, or erasure of your personal data.
- You also have the right to object to the processing of your personal data and to have the processing of your personal data restricted.
- In particular, you have an unconditional right to object to the processing of your personal data for use for direct marketing purposes.
- If the processing of your personal data is based on your consent, you have the right to withdraw your consent at any time. Your withdrawal of consent will not affect the lawfulness for the processing performed before the withdrawal of your consent.
- You have the right to receive the personal data that you have provided yourself in a structured, commonly used and machine-readable format (data portability).
- You have the right to lodge a complaint with a supervisory authority, for instance the Information Commissioner's Office.

You can make use of your rights by withdrawing your consent, for example by unsubscribing from our electronic marketing in the email you receive or by calling us. These rights may be conditioned or restricted. For example, you may not have the right to data portability in this particular case. It depends on the specific circumstances in connection with the processing operations. You can always contact us if you wish to lodge a complaint about how your personal data is collected, stored or processed via [customer\\_services@orsted.co.uk](mailto:customer_services@orsted.co.uk). We strive to resolve a complaint as soon as possible. If you are unhappy with our response, you can lodge a complaint with your local data protection authority. In the United Kingdom, this is the Information Commissioner's Office ([www.ico.org.uk](http://www.ico.org.uk)).

processing and regulation.

Valid from: 12 July 2018.

## 10. Relevant links

At the customer portal you can get an overview of your consumption, bills and payments, contractual documents, notify us of change of address or contact name and see a large proportion of the personal data we process about you.

## 11. Amendments to our Privacy Policy

This Privacy Policy replaces all previous versions. We will update and amend this policy on an ongoing basis to adapt to changing data





[orstedbusiness.co.uk](http://orstedbusiness.co.uk)