

# Privacy Notice

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This Privacy Notice informs you of your rights under the General Data Protection Regulation and sets out how we will use and protect your personal information. firmus energy is committed to protecting your data and ensuring your right to privacy is upheld. firmus energy is a trading name of firmus energy (Distribution) Limited and firmus energy (Supply) Limited. When we refer to “firmus energy”, “we”, “us” or “our”, we mean the relevant data controller, as appropriate. When we refer to “you” or “your” we mean any individual that receives services or products from us.

Please read the detail of this Privacy Notice carefully as it provides important details about what information we collect, how we use your personal information, the steps we take to protect it, and the steps you can take to control it.

## How do we collect your information?

This Privacy Notice will apply to all personal information that you share with us; this can be any piece of information that can be used to identify you.

### From you

We will collect your personal information when you contact us via the firmus energy website, social media, phone, fax, email, SMS, post and in person. We will process the information you provide to us, when you apply for a service from firmus energy, or to allow us to understand if you are eligible for a service we offer.

We will also collect your information if you choose to complete a survey or enter into one of our public competitions or promotions.

### From third parties

We may also receive your personal information from third parties, including:

**Other utility companies:** firmus energy may receive your information from utilities that you already have a relationship with, including other network operators (e.g. Phoenix Natural Gas or SGN Natural Gas), or other gas suppliers (e.g. Electric Ireland, Energia, Flogas, Go Power, Naturgy or SSE Airtricity).

**Authorised third party contractors:** including Gas Safe registered engineers that you have engaged with, our construction partners or our 24-hour

contact centre.

**Downstream Installer:** firmus energy require you to confirm you have used a Gas Safe registered installer to complete the work at your property before a connection can proceed. If you have applied for an incentive, we will need additional information to verify your application.

**Third Party Intermediaries:** e.g. contracted Energy Brokers acting on your behalf.

**Other people associated with your property:** Landlords, Housing Executive/Associations, tenants of your property.

**Credit Reference agencies/ debt collection agencies:** e.g. if you require a credit check for your account, we will consult with our credit check partner. If you have outstanding debt with firmus energy, we may share your details with a debt collection agency.

**Our contracted mailing house:** our mailing house, may send you bills and other correspondence on our behalf, to ensure your information is kept up-to-date, they will manage your address information and mailing preferences.

**Any other third party who you appoint to act on your behalf to interact with us:** this may be a nominated member of your family, a public body, legal or elected representative.

## What information do we collect?

When you interact with firmus energy, we collect and process the personal information that you provide to us, in order to facilitate your requests. Depending on the way you interact with us, we will collect different information.

**If you interact with us about a connection to the firmus energy network, we will collect:** Name, phone number, email address, date of birth, connection address, billing address, landlord details, banking details, credit check outcome (if required), account transactions, Supply Meter Point (SMP) number, natural gas usage, your marketing preferences, meter access information, records of contact with firmus energy i.e. correspondence via phone, fax, email, office visit & post. If you apply for an incentive/grant at the time of connection, we will need additional information to decide if you are eligible and manage your application; this could be your household income or the make-up of your home. Exact requirements will

depend on your scheme and details will be provided as part of your scheme conditions.

We use this information to determine if you are eligible for a natural gas connection and then to install and manage that connection.

If you do not proceed with a connection to the natural gas network we will securely dispose of your information in line with the firmus energy Data Retention and Disposal Policy.

**As a customer of firmus energy Supply, we will collect:** Name, phone number, email address, date of birth, connection address, billing address, landlord details, meter access information, banking details, credit check information/ outcome (if required), account transactions, natural gas usage, meter readings, previous natural gas supplier, your marketing preferences, records of contact with firmus energy i.e. correspondence via phone, fax, email, office visit & post.

**If you request to be added to the firmuscare register, we also collect:** To make life as easy as possible for our customers, we have set up the firmuscare scheme to look after customers who have specific requirements, such as older customers, customers with a registered disability or chronically ill customers. In order to add you to the firmuscare register, we will need to verify your information (e.g. proof of age, disability, or illness), you can choose to tell us about your additional accessibility requirements and agree a firmuscare password – this will improve the service that we provide to you. We will also need to know the make-up of your household (e.g. if living alone, with a minor, or with another firmuscare eligible person).

### Special categories of information

Under the Data Protection legislation, special categories of personal information can include data relating to your health, biometric data for the purpose of identification, racial and ethnic origin or your political opinions. Processing this type of information is prohibited unless it is necessary and there are additional security measures in place.

We will only collect and process this type of information when it is required, examples of special categories we collect and how they are treated are:

**Information about your health** – this will be if you are a gas supply customer and are applying to be included on the firmuscare register as elderly, disabled or chronically ill. We will share this with your network operator and our contracted partners who will be attending your property, ensuring that you will receive the best service from firmus energy. In the

event that we are unable to provide you with a gas supply, the network operator may forward all data they hold to the Supplier of Last Resort, appointed by the Utility Regulator.

– If you have requested an adaptation of correspondence, we will need to share your information with third parties to facilitate this i.e. RNIB can convert your bills to audio or braille format for you.

– If you are in an accident involving firmus energy property or representatives. We will record this for insurance and HSE purposes and share this with the appropriate authorities.

**Information about your finances** – if you are implicated in suspected instances of illegal interference with your natural gas connection or any firmus energy property (including the natural gas network, meter or your supply of natural gas), we will record your details and investigate accordingly, including sharing this with appropriate authorities.

– As part of our credit control processes, we will carry out a credit check on any person requesting to be supplied with a credit meter – we will record the outcome of this credit check.

– If your account is referred to our revenue protection team, you may be required to provide additional financial information to us so that we can manage your debt and repayment plan. We may share this with debt recovery and debt management agencies, we may also declare outstanding debt to another gas supplier if you attempt to switch away from firmus energy.

### Why do we process your personal information?

We will only process your information when it is lawful to do so. The most common reasons that we will process your information are set out below:

**Contract:** We will need to process your information in order to fulfil our contract with you and provide you with the service that you have requested from us.

**Legal obligation:** As a regulated business, firmus energy will process your information in order to comply with legal and regulatory requirements. This includes licences, codes and industry agreements, which are set out by the Utility Regulator.

**Consent:** In some circumstances we will ask you for your consent to process your details, this could be in relation to a competition you have entered, or providing your information as part of a customer testimonial.

**Legitimate interest:** in order to run our business effectively, we will be required to process your personal data, this could be to:

- Run, grow and develop our business
- Meet our contractual obligations with third parties
- Detect and prevent fraud
- Enhance the security of our network and information systems
- Ensure our internal processes and procedures are as efficient as possible
- Better understand how people interact with us
- Analyse and enhance the information we collect
- Determine the effectiveness of our marketing campaigns
- Enhance, modify, personalise or otherwise improve our services and communications for the benefit of our customers.

### How do we use your personal information?

firmus energy will only use your information in accordance with your request for services or other purposes set out in this Privacy Notice. We will process your data, so that we can:

- check to see if you are eligible for the services that we provide
- facilitate your connection to the firmus energy natural gas network
- manage your connection on an ongoing basis and deliver the best possible service to you
- process and verify your application for external grants or offers, e.g. Northern Ireland Sustainable Energy Programme
- communicate with other utilities in accordance with industry requirements and your requests
- ensure that your information is shared with your chosen gas supplier
- switch your gas supplier, in accordance with your request
- ensure the continued safe use of the natural gas network
- respond to gas emergencies at your property
- respond to gas emergencies reported by you
- understand your credit worthiness based on your financial profile, to allow us to decide on the appropriate terms of service to offer you
- bill you to meet the financial obligations associated with your account such as payment for our services, credit control and to assist should your account become overdue
- manage your gas supply account and deliver the best possible service to you
- ensure continued monitoring and maintenance of the natural gas network asset, including the meter, which will be located at your property
- respond to queries or complaints concerning our business activities or representatives
- ensure the health and safety of you, the public and firmus energy representatives

- maintain a list of priority/ vulnerable customers for emergency scenarios, and treat you accordingly
- comply with procedures, regulatory and legislative requirements, that apply to us
- prevent and/ or detect illegal activity or support the investigation of criminal or fraudulent activity, to protect the safety of individuals, to respond to any claims, or to protect our rights
- continue training and business improvement of firmus energy staff and procedures
- to provide you with information about relevant products or services, according to your marketing preferences
- perform any other activity, for which you have provided consent.

### Who do we share your information with?

We may share your information with the following authorised third parties:

- **Other companies within firmus energy and its parent companies:** This will include sharing information between firmus energy (Distribution) Limited and firmus energy (Supply) Limited as well as other group companies for administrative purposes.
- **Other utilities:** In order to fulfil our various licence, network code and industry agreement conditions, we may be required to share your information with other utilities, including other network operators (e.g. Phoenix Natural Gas or SGN Natural Gas) or other gas suppliers (e.g. Electric Ireland, Energia, Flogas, Go Power, Naturgy or SSE Airtricity).
- **Regulators or other legally appointed bodies:** To comply with our legal or regulatory requirements, we may need to share your information with the Department for the Economy, Health & Safety Executive or the Energy Saving Trust, e.g. to verify qualification for grant funded schemes, or to respond in line with our complaints process.
- **The Consumer Council:** If the Consumer Council are managing a complaint or enquiry on your behalf, regarding your interactions with firmus energy, we will need to share your information with the Consumer Council to effectively respond and resolve this.
- **Credit reference and fraud protection agencies:** Where there is a need for a credit reference check, we will engage a third party agency, we will need to share your information to carry this out.
- **Local authorities, housing associations, letting agents and landlords:** Depending on your circumstances, we may contact NIHE, your housing Association or your landlord/ letting agent to verify details of your account or carry out works on your meter and associated installation.
- **Emergency services:** When attending to a gas emergency or safety related situations e.g. suspected

gas escape, when investigating criminal or suspected fraudulent activity or in order to comply with other legal obligations.

- **Local authorities and/or law enforcement:** To comply with applicable laws and regulations or in response to legal process we may share your information as requested by law enforcement.

- **Employees, approved third party suppliers, partners and sub-contractors:** When engaged in providing our services, this includes: firmus energy employees, consultants, legal advisors, technical support services, telecommunications providers, construction contractors, cloud services, payment processors, insurers, logistics providers, installers and contact centre services.

- **Any other parties for which you have provided consent:** Examples of this could be your appointed representative or advocate, or an additional named person on your account.

### How do we store your information?

The security of your personal information is paramount to us. A range of appropriate technical, physical and organisational security measures have been integrated within our organisational management structure, operational processes and information technology to protect your personal information.

### How long do we keep your information?

We will retain your personal data only for as long as is necessary, for the purposes for which it was collected and in order to meet our regulatory and legal obligations. Personal data that is no longer required or has reached applicable statutory and regulatory best practice periods for retention will be securely disposed of. All personal data is retained and/or disposed of in line with the firmus energy Retention and Disposal Policy, which is managed by the Data Protection Officer (contact details at the end of this document).

In order to determine the retention period for your personal information, we consider the nature, sensitivity, risk and impact of a breach to you, the security measures we have in place and the legal obligations we have to retain this. We will only keep your information for as long as it is required to fulfil the purpose of the collection and will dispose of it securely.

If you are connected to the Ten Towns network:

We will store your information associated with the connection to the natural gas network for the life of the asset and the contract's validity – this is required for emergency response and ongoing maintenance of

the natural gas network.

If you do not proceed with a connection to the network, we will keep a record of enquiry for 2 years, after which time, we will dispose of this in a secure manner.

If you are supplied by firmus energy:

We will retain your supply account information for the life of your contract with us so that we can provide you with your gas supply and bill you accordingly. If you choose to switch away from firmus energy, we will retain limited categories of your data for 7 years, as part of our reporting requirements.

firmus energy may anonymise certain data, adding an additional layer of security encryption. This means it will no longer be associated with you and therefore, it will not be subject to the Retention & Disposal Policy. We may further process this anonymised information, however, you will not be associated with the data.

### Failure to provide personal information

Please note, that where we need to collect your personal information by law or under the terms of any contract with you, we may not be able to provide, or continue to provide, services to you if you fail to provide this information to us when requested.

### Automated Decision Making

This is when automated processing is used to make determinations about you, which produce a legal effect. firmus energy does not employ automated decision making in any of our processing, therefore you will not be subject to this.

### Advertising and Marketing

In order to inform you about new and existing products, firmus energy may send you relevant marketing material, you will only receive this after you have actively opted-into this and you can opt-out of this at any time. We will never share your information with third parties for their own marketing activities.

### International Transfers

International transfers may be undertaken, when relevant, for the purposes described in this Privacy Notice for example; the administration, development and operation of IT systems. In some cases, this may involve processing outside of the European Economic Area (EEA).

Some of our back office support services offered by our contracted partners are cloud based and your personal information may be transferred outside the EEA. In these cases, we take a number of additional

steps to reasonably ensure that your personal information will continue to be treated securely and in accordance with this Privacy Notice and our obligations under data protection legislation.

### Your Rights under the law

Data Protection law provides you with a number of rights in relation to how we can use your personal information. Where you contact us to exercise your rights we may need you to provide some additional information for verification of your identity.

- **Right to be informed:** You have the right to be informed about the personal information we collect, how your personal information is being used, and from whom we collect your personal information when we obtain it from other sources.

- **Right to access:** You have a right to have copies of the personal information we hold about you by way of a subject access request.

- **Right to rectification:** You have the right to ask us to change or complete any inaccurate or incomplete or incorrect personal information that we hold about you.

- **Right to erasure:** You have a right to have personal data erased in certain circumstances where there is no valid reason for us to continue processing it.

- **Right to restriction:** You have the right to request the blocking or deletion of your personal information in certain circumstances.

- **Right to data portability:** You have the right to request that we port elements of your information either to you or another energy provider.

- **Right to object:** You have the right to object to us processing your personal information in certain circumstances.

- **Right to withdraw consent:** Where information is being processed based on your consent you have the right to withdraw your consent to process your personal information. We will not continue to process your personal information unless there is another valid legal basis for doing so. To withdraw your consent, please contact us using the contact information set out below. In the event that you withdraw your consent we may not be able to provide services to you.

### Changes to our Privacy Notice

firmus energy keeps its privacy notice under regular review and any updates will be published on the website at [firmusenergy.co.uk/privacy](http://firmusenergy.co.uk/privacy). The privacy notice was last updated on 29<sup>th</sup> July 2019.

### How to contact us

If you have any questions about the firmus energy privacy notice, the data we hold on you, or you would like to exercise one of your data protection rights, please do not hesitate to contact us.

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**Email:** [DPO@firmusenergy.co.uk](mailto:DPO@firmusenergy.co.uk)

**Call:** 0330 024 9000

**Write:** Data Protection Officer  
firmus energy  
A4-A5 Ferguson's Way  
Antrim  
BT41 4LZ

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If you are unhappy with the way in which we process your personal information, allow us to attempt to resolve this, by contacting the DPO, details above. If you remain unsatisfied, you have the right to raise this with the UK Information Commissioner's Office:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Helpline number: 0303 123 1113



  
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