



# ► Privacy Policy

## What you need to know

Dual Energy Direct Limited, a company registered in England and Wales with company number 06468946, having its registered office at Premium House, The Esplanade, Worthing, West Sussex, BN11 2BJ (“**Dual Energy**” “**We**”).

### ► Introduction

This privacy policy sets out how Dual Energy uses and protects any information that you provide to Dual Energy (including information provided through the website [www.dual-energy.co.uk](http://www.dual-energy.co.uk) (“**Website**”).

Dual Energy is a gas and electricity provider to businesses throughout the UK, and through providing services to its customers may collect personal data of contacts acting on behalf of its customers or potential customers (“**Services**”). In addition to this the Website also collects certain personal data from users.

Dual Energy is firmly committed to respecting and protecting the privacy of all personal data received or collected, in strict adherence to Data Protection Legislation (defined below) and best business practice.

### ► Data protection definitions

Dual Energy's data protection and privacy measures are governed by the (i) the General Data Protection Regulation ((EU) 2016/679) (“**GDPR**”) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then (ii) any successor legislation to the GDPR or the Data Protection Act 1998 (“**Data Protection Legislation**”).

For the purpose of Data Protection Legislation, where personal data is provided directly to Dual Energy through use of the Website, email, or other means Dual Energy will be a data controller of such information

## ▶ Personal data & basis for collection

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

Dual Energy may collect, use, store and transfer different kinds of personal data about you which Dual Energy have grouped together follows:

- **Identity Data** includes first name, last name, username or similar identifier, marital status, date of birth, title, job title, directorships and date.
- **Contact Data** includes billing address, delivery address, email address and telephone numbers.
- **Financial Data** includes bank account and payment card details.
- **Transaction Data** includes details about payments to and from you and other details of products and services you have purchased from us.
- **Usage Data** includes information about how you use Dual Energy's Services or submit an enquiry or query through the Website.

Subject to where Dual Energy needs to verify your identity and you provide your express consent to for Dual Energy to process such information, Dual Energy does not process any Special Categories of Personal Data about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data). Nor does Dual Energy collect any information about criminal convictions and offences.

## ▶ If you fail to provide personal data

Where Dual Energy need to collect personal data by law, or under the terms of a contract Dual Energy has with you (or our customer for whom you are acting on behalf of) and you fail to provide that data when requested, Dual Energy may not be able to perform the contract it has or are trying to enter. In this case, Dual Energy may have to cancel the Services but we will notify you if this is the case at the time.

## ▶ How is your personal data collected?

Dual Energy use different methods to collect personal data from and about you including through:

- **Direct interactions** - You may give us your Identity, Contact and Financial Data by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:
  - apply for the Services; or
  - give us some feedback.
- **Third parties or publicly available sources** - We may receive personal data about you from various third parties and public sources such as:
  - Contact, Financial and Transaction Data from providers of technical, payment and delivery services, including third party debt agencies, such as SagePay and Creditsafe.
  - Identity and Contact Data from brokers based inside the EU.
  - Identity and Contact Data from publicly available sources such as Companies House and the Electoral Register based inside the EU.

## ▶ How Dual Energy uses your personal data

Dual Energy will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract we are about to enter into or have entered into.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal or regulatory obligation.

## ▶ Purposes for which Dual Energy will use your personal data

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact Dual Energy if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
To register you as a new customer and verify your identity	(a) Identity	Performance of a contract
	(b) Contact	Consent (for use of special categories of data)
To perform credit checks	(a) Identity	Legitimate interests
	(b) Contact	
To process and deliver the Services including: (a) Manage payments, fees and charges (b) Collect and recover money owed to us (c) Contacting you and corresponding about the Services	(a) Identity	Performance of a contract
	(b) Contact	Necessary for our legitimate interests (to recover debts due to us)
	(c) Financial	
	(d) Transaction	
To respond to queries and enquiries	(a) Identity	Legitimate interests
	(b) Contact	

## ▶ Change of purpose

Dual Energy will only use your personal data for the purposes for which it was collected for, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact Dual Energy.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## ▶ How your personal data may be shared

Personal data Dual Energy collects in accordance with this Privacy Policy, may be shared as follows:

- with third party consultants (including installers and meter operators) selected by Dual Energy who adhere to the terms of this Privacy Policy;
- where Dual Energy is under a duty to disclose your personal data to comply with any legal obligation, or to enforce or apply Dual Energy's or terms and conditions and other agreements;
- with third party debt recovery agencies;
- to protect the rights, property, or safety of Dual Energy, Dual Energy's customer, or others. This includes exchanging information with other companies and organisations for the purposes of fraud protection and for compliance with laws;
- with OFGEM for regulatory purposes; and
- with third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy notice.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

## ▶ How Dual Energy stores personal data

For secure storage, Dual Energy do not transfer your personal data outside the European Economic Area (EEA).

## ▶ Data security

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

## ▶ Personal data retention

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. Generally, Dual Energy will usually delete personal data three years after the termination of the Services.

## ▶ Your Rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data. These include the right to:

- Request access to your personal data;
- Request correction of your personal data;
- Request erasure of your personal data;
- Object to processing of your personal data;
- Request restriction of processing your personal data;
- Request transfer of your personal data;
- Right to withdraw consent.

To exercise any of the above rights please email your request to: [customer.services@dual-energy.co.uk](mailto:customer.services@dual-energy.co.uk).

To withdraw consent over receiving marketing messages regarding additional services that Dual Energy offer, you may opt out at any time by use of the 'unsubscribe' link found at the bottom of such marketing emails. With legitimate interest Dual Energy will still send you information regarding changes to your account, terms and conditions or to the services already provided to you.

Where you exercise your right to erasure or where information is deleted in accordance with Dual Energy's retention policy, please note that after the deletion of your personal data, it cannot be recovered, so if you require a copy of this personal data, please request this during the period Dual Energy retains the data.

Where you exercise your right to request access to the information Dual Energy processes about you, you will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

Dual Energy will try to respond to all legitimate access requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

## ▶ Children

The Website is not intended for children and Dual Energy will not knowingly collect any personal data from persons under the age of 18 and will immediately delete any such data subsequently so determined.

## ▶ Complaints

If you would like to make a complaint in relation to how Dual Energy may have stored, used or processed your personal data, you have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). Dual Energy would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

## ▶ Cookies

The Website uses a technology called "cookies" and web server logs to collect information about how the Website is used. A cookie is a very small text document, which often includes an anonymous unique identifier. When you visit a website, that site's computer asks your computer for permission to store this file in a part of your hard drive specifically designated for cookies.

Information gathered through cookies and web server logs may include the date and time of visits, the pages viewed, time spent at the Website. Cookies, in conjunction with Dual Energy's web server log files, allow us to calculate the aggregate number of people visiting the Website and which parts of the Website are most popular.

This helps Dual Energy gather feedback so that the Website can be improved in order to better serve its customers. Cookies do not allow Dual Energy to gather any personal information about you and Dual Energy do not generally store any personal information provided by these cookies.

## ▶ External Websites

The Website may, from time to time, contain links to and from the websites of Dual Energy partner networks, advertisers and affiliates. If you follow a link to any of these websites, please note that these websites have their own privacy policies and that we do not accept any responsibility or liability for these policies. Dual Energy is not responsible for the content of external internet sites and you are advised to read the privacy policy of external sites before disclosing any personal information.

## ▶ Changes to this Privacy Policy and your duty to inform us of changes

As and when necessary, changes to this privacy policy will be posted here. Where changes are significant, we may also email all our registered users with the new details, and where required by law, will we obtain your consent to these changes. This Privacy Policy was last updated on 01/05/2018. It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

## ▶ Remember the Risks Whenever You Use the Internet

Dual Energy is committed to ensuring that your information is secure and has in place reasonable and proportionate safeguards and procedures to protect your personal information. While Dual Energy does its best to protect your personal information, Dual Energy cannot guarantee the security of any information that you transmit to Dual Energy and you are solely responsible for maintaining the secrecy of any passwords or other account information.

## ▶ Questions & Contact Information

For any questions or for further information, please contact: [customer.services@dual-energy.co.uk](mailto:customer.services@dual-energy.co.uk)