

Utility Warehouse

Data Privacy Notice for Partners

Issued: 25 May 2018

1. Introduction

Utility Warehouse Limited (“**Utility Warehouse**”, “**we**” or “**us**”) has issued this Data Privacy Notice (“**Notice**”) to describe how we handle personal information that we hold about our independent distributors of Utility Warehouse’s goods and services whom we refer to as ‘Partners’ (collectively referred to as “**you**”).

We respect the privacy rights of individuals and are committed to handling personal information responsibly and in accordance with applicable law. This Notice sets out the personal information that we collect and process about you, the purposes of the processing and the rights that you have in connection with it.

If you are in any doubt regarding the applicable standards, or have any comments or questions about this Notice, please contact us at the contact details in Section 10 below.

2. Types of personal information we collect

As a Partner of Utility Warehouse, or when making an application to become a Partner, we may process personal information about you and your dependents, and other individuals whose personal information has been provided to us.

The types of personal information we may process include, but are not limited to:

- Identification data – such as your name, gender, photograph, date of birth, driving licence details, staff member IDs.
- Contact details – such as home and business address, telephone/email addresses, emergency contact details.
- Background information – such as criminal records data (for vetting purposes, where permissible and in accordance with applicable law).
- National identifiers – such as national ID/passport.
- Financial information – such as such as the amount you earn from your position as partner and money loaned to you (eg to obtain a tablet, a mini or a business development loan).
- IT information – information required to provide access to company hosted IT systems and networks such as IP addresses, log files and login information which you may need to use as a Partner.

Sensitive personal information includes any information that reveals your racial or ethnic origin, religious, political or philosophical beliefs, genetic data, biometric data for the purposes of unique identification, trade union membership, or information about your health/sex life and personal information relating to criminal convictions and offences (“**Sensitive Personal Information**”). As a general rule, we try not to collect or process any Sensitive Personal Information about you, unless authorised by law or where necessary to comply with applicable laws.

However, in some circumstances we may need to collect, or request on a voluntary disclosure basis some Sensitive Personal Information for legitimate purposes (such as information about criminal convictions for insurance purposes).

3. Purposes for processing personal information

We may use your personal information for the purposes of assisting you with your business development activities, for due diligence purposes to ensure that you are permitted to act as a Partner in relation to the sale of Utility Warehouse services, training purposes, to allow you to hire electronic tablets or vehicles from us, or to permit you to borrow funds from us for your business development purposes.

(i) Other legitimate business purposes

We may also process your personal information to investigate violations of law or breaches of the Partner Policies and Guidelines. We may monitor your business performance in compliance with our policies and procedures and we may also use your personal information to reward you with benefits or holidays for or other incentives (for example, to book reward activities on your behalf). We will also use your personal information in relation to disciplinary procedures in accordance with our policies and procedures.

(ii) Law-related purposes

We also may use your personal information where we consider it necessary for complying with laws and regulations, including collecting and disclosing personal information as required by law (e.g. for tax, health and safety, anti-discrimination laws), under judicial authorisation, or to exercise or defend the legal rights of the Utility Warehouse group of companies.

4. Who we share your personal information with

We take care to allow access to personal information only to those who require such access to perform their tasks and duties, and to third parties who have a legitimate purpose for accessing it. Whenever we permit a third party to access personal information, we will implement appropriate measures to ensure the information is used in a manner consistent with this Notice and that the security and confidentiality of the information is maintained.

(i) Transfers to other group companies

As mentioned above, we will share your personal information with other members of the Utility Warehouse group for other legitimate business purposes such as IT services/security, tax and accounting, to process business development loans, the hire purchase of tablets and vehicles, and general business management.

(ii) Transfers to third party service providers

In addition, we make certain personal information available to third parties who provide services to us. We do so on a “need to know basis” and in accordance with applicable data privacy law. For example, some personal information will be available to third-party companies who provide us with commission payment support services, and assist you with your business development activities

and to help improve the success of your sales, for example with training providers and merchandising stores. We may share your personal information with third parties when arranging incentives or for you to receive benefits or other incentives, to enable you to exercise your share options, or to ask you to fill in performance/satisfaction surveys.

(iii) Transfers to other third parties

We may also disclose personal information to third parties on other lawful grounds, including:

- To comply with our legal obligations, including where necessary to abide by law, regulation or contract, or to respond to a court order, administrative or judicial process, including, but not limited to, a subpoena, government audit or search warrant.
- In response to lawful requests by public authorities (including for national security or law enforcement purposes).
- As necessary to establish, exercise or defend against potential, threatened or actual litigation
- Where necessary to protect the vital interests of another person.
- In connection with the sale, assignment or other transfer of all or part of our business.
- With your consent.

5. Legal basis for processing personal information

Our legal basis for collecting and using the personal information described above will depend on the personal information concerned and the specific context in which we collect it.

However, we will normally collect personal information from you where we need the personal information to perform a contract with you (i.e. to administer a contract to enable you to be independent distributor of Utility Warehouse goods and services), or where the processing that personal information is in our legitimate interests (for example, conducting performance and satisfaction surveys, carrying out disciplinary action, and providing training and screening) and not overridden by your data protection interests or fundamental rights and freedoms. In some cases, we may also have a legal obligation to collect personal information from you or may otherwise need the personal information to protect your vital interests or those of another person.

If you have questions about or need further information concerning the legal basis on which we collect and use your personal information, please contact us using the contact details provided at Section 10 below.

6. Transfer of personal information abroad

Our suppliers operate at a global level, we may need to transfer personal information to suppliers based in countries other than the ones in which the information was originally collected. When we export your personal information to a different country, we will take steps to ensure that such data exports comply with applicable laws. For example, if we transfer personal information from the European Economic Area to a country outside it, such as the United States, we will implement an appropriate data export solution such as entering into EU standard contractual clauses with the data importer, or taking other measures to provide an adequate level of data protection under EU law.

We send your personal information to our third party service providers who are located in territories outside the EEA (including the US) and we do so on the basis of EU standard contractual clauses (a copy of which can be provided upon request).

7. Data retention periods

Personal information will be stored in accordance with applicable laws and kept as long as needed to carry out the purposes described in this Notice or as otherwise required by applicable law. Generally this means your personal information will be retained for as long as you are a partner and/or in receipt of a residual income from us plus a period of seven years thereafter in accordance with our document retention policy.

8. Your data privacy rights

You may exercise the rights available to you under applicable data protection laws as follows:

- If you wish to **access, correct, update or request deletion** of your personal information, you can do so at any time by contacting us using the contact details provided at Section 10 below.
- In addition, if you are a resident of the European Union, you can **object to processing** of your personal information, ask us to **restrict processing** of your personal information or **request portability** of your personal information. Again, you can exercise these rights by contacting us using the contact details provided at Section 10 below.
- If we have collected and process your personal information with your consent, then you can **withdraw your consent** at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect processing of your personal information conducted in reliance on lawful processing grounds other than consent.
- You have the **right to complain to a data protection authority** about our collection and use of your personal information. For more information, please contact your local data protection authority. (Contact details for the Information Commissioner's Office, the UK data protection authority are available [here](#)).

We respond to all requests we receive from individuals wishing to exercise their data protection rights in accordance with applicable data protection laws.

9. Updates to this Notice

We may update this Privacy Notice from time to time in response to changing legal, technical or business developments. When we update our Privacy Notice, we will take appropriate measures to inform you, consistent with the significance of the changes we make. We will obtain your consent to any material Privacy Notice changes if and where this is required by data protection law.

You can see when this Privacy Notice was last updated by checking the “issued” date displayed at the top of this Privacy Notice.

10. Contact details

If you have any questions or concerns about our use of your personal information, please contact our data protection officer using the following details: privacy@utilitywarehouse.co.uk.

The data controller of your personal information is Utility Warehouse Limited, which is registered with the ICO with registration number ZA243042.