

**BUSINESSWISE SOLUTIONS LIMITED**  
**PRIVACY AND COOKIES POLICY (this “Policy”)**

We are Businesswise Solutions Limited, a business providing expert energy buying and management solutions. In this Policy, Businesswise Solutions Limited is referred to as “we”, “us” and “our”. This Policy is our privacy and cookies policy in relation to the personal data we collect from visitors to our website, <https://www.businesswisesolutions.co.uk/> (the “Website”) and those who use our services.

We respect each person’s privacy and are committed to protecting personal data. This Policy sets out how we look after the personal data we collect from those who visit the Website or procure our services, and it outlines a person’s privacy rights and how the law protects them.

We may update this Policy from time to time. If we do, we will post a new version on the Website. You should check this page occasionally to ensure you are happy with any changes. We may also notify you of changes to the Policy by email if you have asked us to keep in touch with you by email.

This Policy was most recently updated on 3<sup>rd</sup> July 2018.

**1. Background**

**Why do we have this Policy?**

This Policy is intended to explain how we collect and process personal data when individuals visit the Website and/or receive our services. This includes any data provided through the Website, and when you contact us in any way, as well as when you enlist our services.

You should read this Policy with any other privacy notice that we may give to you from time to time when we are collecting or processing personal data about you. Those privacy notices will ensure you are aware of how and why we are using your personal data. This Policy supplements the other privacy notices; it is not intended to override them.

**We are a data controller**

A data controller, according to the applicable data protection laws, means a person who determines the purposes for which and the manner in which any personal data is to be processed.

Businesswise Solutions Limited is the data controller for any personal data provided to us through the Website and/or for the provision of our services.

We have appointed a data privacy manager who is responsible for overseeing questions in relation to this Policy. If you have any questions about this Policy, including any requests to exercise your legal rights listed at paragraph 12 below, then please contact the data privacy manager using the details set out below:

Full name of legal entity: Businesswise Solutions Limited

Name or title of data privacy manager: James Hartley

Email address: James.hartley@businesswisesolutions.co.uk

Postal address: Businesswise Solutions Limited, The Energy Centre, 16 Lindred Road, Lomeshaye Industrial Estate, Nelson, BB9 5SR.

**Making sure the information we hold about you is correct**

It is important that the personal data we hold about you is accurate and current. Please get in touch if you think the personal data we hold about you needs to be updated during your relationship with us.

**Third party information and links on the Website**

The Website sometimes includes links to websites, plug-ins and applications owned or controlled by third parties. If you click on those links or enable those connections, third parties may be able to collect or share data about you, and they are not within our control. We are not responsible for their privacy statements. When you leave the Website, you should read the privacy notice of every other website or application that you visit.

**2. The data we collect about you**

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).

**Website visitors**

We may collect the following personal data from individuals who visit the Website:

- **Identity Data** this includes your first name, last name, and identifier that you may provide when you correspond with us through the Website.
- **Contact Data** this includes your personal address, your email address and any telephone numbers that you may provide when you correspond with us through the Website.
- **Technical Data** this includes internet protocol (IP) address, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access the Website.
- **Usage Data** this includes information about how you use the Website.
- **Marketing and Communications Data** this includes your preferences in receiving marketing from us.

#### Customers

We collect the following personal data from those who we provide services to:

- **Identity Data** this includes your first name and last name for relevant contacts within your business.
- **Contact Data** this includes the email address and telephone numbers of relevant contacts within your business.
- **Profile Data** this includes any feedback and responses to our services.
- **Marketing and Communications Data** this includes your preferences in receiving marketing from us.

#### Aggregated Data

We also collect, use and share Aggregated Data such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does **not** directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific Website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this Policy.

#### Special Categories of Personal Data

We do not collect 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 do we collect any information about criminal convictions and offences.

#### If you fail to provide personal data

Where we need to collect personal data by law, or under the terms of a contract we have with you, and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with our services). In this case, we may have to, for example, cancel the service we are to provide to you, but we will notify you if this is the case at the time.

### 3. How is your personal data collected?

#### Website visitors

We use different methods to collect data from Website visitors including through:

- **Direct interactions.** You may give us your Identity, Contact, and Marketing and Communications Data by filling in forms or by corresponding with us through the Website. This includes personal data you provide when you:
  - request information from us;
  - contact us for any reason;
  - request communications to be sent to you; or
  - give us feedback.
- **Automated technologies or interactions.** As you interact with the Website, we may automatically collect Technical and Usage Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies. Please see paragraph 6 below for more information on our use of cookies.
- **Third parties or publicly available sources.** We may receive personal data about you from various third parties

and public sources as set out below:

- Technical and Usage Data from the following parties:
  - (a) analytics providers such as Google based outside the EU;
  - (b) search information providers Lead Forensics based inside the EU.
- Contact Data from providers of technical services based inside the EU.
- Identity and Contact Data from publicly available sources such as Companies House based inside the EU, your own website, and social media, such as LinkedIn, which may be based outside the EU.

## Customers

We use different methods to collect data from those who procure our service including through:

- **Direct interactions.** You may give us your Identity, Contact and Marketing and Communications Data by filling in forms or by corresponding with us in relation to our provision of services. This includes personal data you provide when you:
  - request information from us;
  - contact us for any reason;
  - meet with us;
  - request communications to be sent to you;
  - insert information into contracts; or
  - give us feedback.
- **Third parties or publicly available sources.** We may receive personal data about you from various third parties and public sources as set out below:
  - Identity and Contact Data from providers of technical services based inside the EU.
  - Identity and Contact Data from publicly available sources such as Companies House based inside the EU, your own website, and social media, such as LinkedIn, which may be based outside the EU.

## 4. How we use your personal data

We 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 with you.
- 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.

See paragraph 13 to find out more about the types of lawful basis that we will rely on to process your personal data.

We do not usually rely on consent as a legal basis for processing your personal data. If, for any reason, we do rely on consent to process your personal data, you have the right to withdraw consent at any time by contacting us.

## Purposes for which we will use your personal data

The table below explains the ways in which we process all personal data that we collect, and the legal bases we rely on to do so. Where necessary, we have also identified our legitimate interests.

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 us if you would like more details about the specific legal ground on which we are relying 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 manage our relationship with you which will include:	(a) Identity (b) Contact	(a) Necessary to comply with a legal obligation. (b) Performance of a contract with you.

(a) Notifying you about changes to this Policy. (b) Providing you with information when you ask for it. (c) Contacting you when you have asked us to contact you.	(c) Marketing and Communications	(c) Necessary for our legitimate interests (to keep our records updated, and direct marketing).
To administer and protect our business and the Website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data).	(a) Identity (b) Contact (c) Technical (d) Usage	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise). (b) Necessary to comply with a legal obligation.
To use data analytics to improve the Website, products/services, marketing, customer relationships and experiences.	(a) Technical (b) Usage	Necessary for our legitimate interests (to keep the Website updated and relevant, to develop our business and to inform our marketing strategy).
Information you provide to us when enquiring about, or applying for, jobs listed on the Website or through such other media as we may use for such purposes from time to time.	Please see paragraph 7 on "Recruitment" below.	Please see paragraph 7 on "Recruitment" below.
To communicate marketing and sales messages to you relating to our services and products.	(a) Identity (b) Contact (c) Technical (d) Usage (e) Profile (f) Marketing and Communications	Necessary for our legitimate interests (to develop our products/services and grow our business).
To process and deliver our services to you including: (a) Manage payments, fees and charges. (b) Collect and recover money owed to us.	(a) Identity (b) Contact (c) Financial (d) Marketing and Communications	(a) Performance of a contract with you. (b) Necessary for our legitimate interests (to recover debts due to us).

### Change of purpose

We will only use your personal data for the purposes for which we collected it, 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 us.

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, where this is required or permitted by law.

### 5. Marketing

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising. If you wish to change your marketing preferences you can do so by contacting us.

### Promotional offers from us

We may use the Identity, Contact, Technical, Usage, Profile, and Marketing and Communications Data from Website visitors and customers to form a view on what they may want or need, or what may be of interest to them. This is how we decide which products, services and offers may be relevant; we call this marketing.

Website visitors and customers will receive marketing communications from us if they have requested information from us or purchased services from us and, in each case, they have not opted out of receiving that marketing.

### Third-party marketing

We will get your express opt-in consent before we share any personal data with a third party for marketing purposes.

### Opting out

You can ask us to stop sending you marketing messages at any time by following the opt-out links on any marketing message sent to you or by contacting us at any time.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of contracts we have in place with you, or other transactions.

## 6. Cookies

The Website uses cookies. Cookies are tiny text files which identify your computer to our server as a unique user when you visit certain pages on the Website and they are stored by your Internet browser on your computer's hard drive. Cookies can be used to recognise your Internet Protocol address, saving you time while you are on the Website.

We only use cookies for your convenience in using the Website and not for obtaining or using any other information about you (for example targeted advertising). Your browser can be set to not accept cookies, but this would restrict your use of the Website.

If you want to find out more information about cookies, go to <http://www.allaboutcookies.org> or to find out about removing them from your browser, go to <http://www.allaboutcookies.org/manage-cookies/index.html>.

Please note that we collect data from the Website about use of the Website using a web analysis tool which uses cookies that are (able to be) used to generate pseudonyms for a user's profile. This means that use cookies (which may be stored on your computer after you leave the Website) can store information about your visit.

The Website uses the following cookies:

Name	Expiration date	Purpose

## 7. Recruitment

We are the data controller for any information you give to us during a job enquiry or application process that you commence through the Website or otherwise.

We will only collect the information that we need for recruitment purposes as part of the job application process, such as your name, address, email address, phone number, employment history, salary history and referees (together, "**Recruitment Data**"). We will retain Recruitment Data for as long as is necessary, and in any event for no longer than six months after your initial application if you are not successful in your application, and, if we employ you, for the duration of your employment with us and for a period after your employment ends, in accordance with our internal policies of which you will be informed if you join us.

We will use Recruitment Data only for the purpose of dealing with your enquiry or application, or to fulfil our legal and/or regulatory obligations. This might include contacting you to keep your application moving, and assessing your suitability for the particular role we have available.

We will not share Recruitment Data with any third parties for marketing purposes, and we will not transfer it outside of the European Economic Area.

You do not have to provide personal data to us when we ask for it, but it may impact your application if you do not give us all of the information we need to assess your suitability for the role we have available.

If we make you a conditional offer of employment, we will ask you for further information, such as proof of your qualifications and identity, and information about your health. If we then make you a final offer of employment, we will ask you for details of your bank account (so we can pay your salary), emergency contact details, and details of any pension scheme of which you are a member.

#### **8. Disclosures of your personal data**

We may have to share your personal data with the parties set out below for the purposes set out in the table in paragraph 4 above.

- Internal Third Parties as set out in paragraph 13 below.
- External Third Parties as set out in paragraph 13 below.
- 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 Policy.
- The Information Commissioner's Office or another regulator or relevant body (such as the Police) when we are asked or required to do so.

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.

#### **9. International transfers**

We do not transfer your personal data outside the European Economic Area.

#### **10. 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, consultants, 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.

Unfortunately, the transmission of information via the Internet is not completely secure. Although we do our best to protect your personal information, we cannot guarantee the security of your personal information transmitted to the Website; any such transmission is at your own risk. Once we have received your personal information, we will use strict procedures and security features to try to prevent unauthorised access

#### **11. How long we use your personal data for**

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.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

By law we have to keep basic information about our customers and suppliers for six years after they cease being customers or suppliers (as appropriate). For other personal data, details of retention periods for different aspects of your personal data are available in our retention policy which you can request from us by contacting us.

In some circumstances you can ask us to delete your data: see paragraph 12 below for further information.

In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

#### **12. Your legal rights**

Under certain circumstances, you have rights under data protection laws in relation to your personal data:

- **Request access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

- **Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.
- **Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
- **Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
- **Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- **Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.
- **Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

If you wish to exercise any of the rights set out above, please contact us.

#### **No fee usually required**

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.

#### **What we may need from you**

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

#### **Time limit to respond**

We try to respond to all legitimate 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.

#### **Your right to make a complaint to the ICO**

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)). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

### **13. Glossary**

#### **LAWFUL BASIS**

**Legitimate Interest** means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any

potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

**Performance of Contract** means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

**Comply with a legal or regulatory obligation** means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.

### **THIRD PARTIES**

#### **Internal Third Parties**

Other companies in our corporate group acting as joint controllers or processors and who are based in the UK and provide IT and system administration services and undertake leadership reporting.

#### **External Third Parties**

- Service providers acting as processors based in the United Kingdom and United States who provide IT and system administration services.
- Professional advisers acting as processors or joint controllers including lawyers, bankers, auditors and insurers based in the UK who provide consultancy, banking, legal, insurance and accounting services.
- HM Revenue & Customs, regulators and other authorities acting as processors or joint controllers based in the United Kingdom who require reporting of processing activities in certain circumstances.