



APPROPRIATE POLICY DOCUMENT (“APD”)

*This document outlines details around the processing of Special
Category (“SC) data under The General Data Protection Regulation
 (“GDPR”)*

privacyie@beenergy.ie

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About BE Energy

BE Energy operating as BE Energy is a trading name of BE Energy Limited, registered in the Republic of Ireland No. 496678.

BE Energy, 15 Clanwilliam Terrace, Grand Canal Quay, Dublin 2.

What is an APD?

The General Data Protection Regulation (“GDPR”) outlines the requirement for an Appropriate Policy Document (APD) to be in place when processing special category (SC) and criminal offence (CO) data under certain specified conditions.

NB: BE Energy do not process CO (criminal offence) data at this time

This policy explains BE Energy’s procedures for securing compliance with the data protection principles listed within this document, in relation to the processing of special categories of personal data. It also explains the retention and erasure policies in relation to that data. This policy is a requirement under Part 4 of Schedule 1 of GDPR.

What are Special Categories of Personal Data’?

Special categories of personal data are:

- personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs or trade union membership
- genetic data, or biometric data
- data concerning health
- data concerning an individual’s sex life or sexual orientation.

Special Category Data Processed by BE Energy

BE Energy collect health related information, only in circumstances where it is necessary.

With consent, we’ll use the information that we collect about customers (or a member of their household’s) requirements for their welfare (e.g. due to age, health, disability or financial circumstances), to:

(a) ensure the welfare of householders e.g. ensuring we do not stop your supply and can respond appropriately during a major incident or emergency situation;

(b) ensure that our communications are adapted to provide equal treatment and opportunity to all customers

(c) ensure that we support and make provisions for vulnerable customers as necessary.

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Special Category – Data Sharing Arrangement(s)

BE Energy share SC data with networks (NIE, ESB), only.

BE Energy share this information in order to guarantee continuous supply and ensure ongoing welfare of householders.

Schedule 1 – Condition for Processing

Article 9(1) of the GDPR prohibits the processing of special categories of personal data unless a specific condition in Article (9)(2) is met. In addition, a condition in the Act, Schedule 1 Parts 2 must also be met.

BE Energy processes SC data under the following bases

Article 9: (a) - Explicit consent

Article 9: (g) - Reasons of substantial public interest (with a basis in law)

Part 2 of Schedule 1 of the GDPR, substantial public interest conditions met by BE Energy are:

8. Equality of opportunity or treatment

18. Safeguarding of children and individuals at risk

19. Safeguarding of economic well-being of certain individuals

GDPR Principles

This section demonstrates how BE Energy fundamentally adheres to the principles contained within GDPR (“General Data Protection Regulation”) for SC (“Special Category”) data:

Principle (a): Lawfulness, Fairness and Transparency

BE Energy aim to be open with our customers on how we use their SC data and will make information available on their website and will notify customers of any changes to privacy terms & conditions and will seek consent where appropriate.

BE Energy has documented their legal bases for processing, within this document. Customers are welcome to contact our dedicated privacy department for any queries [details contained within].

Principle (b): Purpose Limitation

Processing of special category personal data will be restricted to only that which is necessary for the relevant purpose and it will not be used for a matter which is incompatible with that purpose.

If it is considered that further processing should be carried out (and that processing is not based on consent), and the purpose does not fall within Part 2 of Schedule 1, action will be taken to ascertain compatibility or otherwise of the proposed process. The result of this will be documented with the reasons for the decision.

Principle (c): Data Minimisation

BE Energy ensure SC data processed is sufficient to fulfil stated purpose, is relevant to that purpose and only limited to what is necessary.

Principle (d): Accuracy

We will ensure as far as possible that the special category personal data we process are accurate and kept up to date.

All staff are made aware of the need for accuracy and are responsible for the accuracy of the personal data they process.

Special category personal data found to be inaccurate will be rectified or erased whenever possible.

Principle (e): Storage Limitation

BE Energy retains customer personal information for a period of two years [following the end of a contract] this includes electronic records and audio [telephone] recordings.

Principle (f): Integrity & Confidentiality (Security)

BE Energy have implemented appropriate technical and organizational measures to protect against unauthorized or unlawful processing and against accidental loss, destruction or damage of all personal data processed.

Technical Measures:

- Encryption

Appropriate Policy Document: Processing of Special Categories of Personal Data

- Firewalls
- Monitoring & Alerting
- Logging
- Anti-Virus Software
- IT Health Checks
- Vulnerability Assessment
- User Authentication
- Role Based & Password Controlled Access
- End Point / Client Machine Management
- Secure Backup Facility

Organisational Measures:

- Privacy Awareness Training [All Staff]
- System/Process Training at Onboarding
- Secure Buildings [Physical Security]
- Data Protection Policies
- Incident Reporting Policies
- Risk Management Program

Principle (g): Accountability

BE Energy takes our customers privacy and safeguarding of their personal information seriously. As an organisation, we take full responsibility for the processing activities we undertake.

BE Energy have a dedicated privacy department and have an appointed DPO (“Data Protection Officer”)

Retention & Erasure

BE Energy BE Energy retains customer personal information for a period of two years [following the end of a contract] this includes electronic records and audio [telephone] recordings.

BE Energy customers are welcome to contact our privacy department to discuss data retention and erasure.

APD Review Date

BE Energy’s APD (“Appropriate Policy Document”) for processing SC (“Special Category Data”) must be reviewed no later than January 2021.

Privacy Contact

privacy@BEenergy.co.uk

Energy House, 30-32 Balliniska Road, Springtown Industrial Estate, Derry/Londonderry,
BT48 0LY