

Northern Ireland Authority for Utility Regulation
GDPR: Privacy Notice (Consumers and Stakeholders)

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Key Summary

This Privacy Notice applies to individuals who submit general enquiries or complaints. We process your **personal data** for the purpose of responding to such enquiries and complaints.

This notice explains what data we **process**, why, how it is legal and your rights.

About Us and This Notice

This Privacy Notice is provided by the Northern Ireland Authority for Utility Regulation ("Utility Regulator" or "UR" or "we" or "us") who is a 'controller' for the purposes of **data protection laws**.

You should read this Privacy Notice if you are applying for a role with us. We take your privacy very seriously. We ask that you read this Privacy Notice carefully as it contains important information about our **processing** and your rights.

How to contact us

If you need to contact us about this Privacy Notice, use the details below.

Data Protection Officer: Elaine Cassidy
Utility Regulator
Queens House
14 Queen Street
Belfast
BT1 6ER

Telephone: 028 9031 6671

Email: elaine.cassidy@uregni.gov.uk

If you would like this Privacy Notice in another format (for example: audio, large print, braille), please contact us.

UR tries to meet the highest standards in collecting and using personal data. For this reason, we take any complaints received about this very seriously. We would encourage you to bring to our attention any issue around the collection or use of data which is unfair, misleading or inappropriate. We also welcome any suggestions for improving our procedures.

Changes to this Privacy Notice

We may change this Privacy Notice from time to time. The latest version will be available at (www.uregni.gov.uk).

Useful Words and Phrases

Please familiarise yourself with the following words and phrases which have particular meanings in data protection laws and are used throughout this Privacy Notice.

Term	Definition
Controller	Any person who determines the purposes for which, and the manner in which, any personal data is processed .
Criminal Offence Data	Any information relating to criminal convictions and offences committed or allegedly committed.
Data Protection Laws	Laws which govern the handling of personal data . This includes the General Data Protection Regulation (EU) 2016/679 and any other national laws implementing that Regulation or related to data protection.
Data Subject	Person to whom the personal data relates.
ICO	Information Commissioner's Office responsible for implementing, overseeing and enforcing data protection laws .
Personal Data	Any information from which a <u>living individual</u> can be identified. This will include information such as telephone numbers, names, addresses, e-mail addresses, photographs and voice recordings. It will also include expressions of opinion and indications of intentions about data subjects (and their own expressions of opinion/intentions). It will also cover information which on its own does not identify someone but which would identify them if put together with other information which we have or are likely to have in the future.
Processing	Virtually anything anyone can do with personal data , including: <ul style="list-style-type: none">• obtaining, recording, retrieving, consulting or holding it;• organising, adapting or altering it;• disclosing, disseminating or otherwise making it available; and• aligning, blocking, erasing or destroying it.
Processor	Any person who processes personal data on behalf of the controller.
Special Categories of Data	Any information relating to: <ul style="list-style-type: none">• racial or ethnic origin;• political opinions;• religious beliefs or beliefs of a similar nature;• trade union membership;• physical or mental health or condition;• sexual life; or• genetic data or biometric data for the purpose of uniquely identifying you.

What Personal Data Do We Collect and Why?

General Enquires

We **process personal data** about you (such as your name, address, email address and telephone number and anything else that you provide to us) when you contact us by filling in our enquiry form in order to respond to the enquiry you have made. We need to use your data to respond to your enquiry and to check that the service we provide is within our service levels. It is in the public interest that we can do so to provide a service to members of the public.

Freedom of Information / Environmental Information Requests

We will process your name and contact detail if you submit a request under the Environmental Information Regulations or Freedom of Information Act in order to respond to it in line with our respective procedures. We have a dedicated email address (info@uregni.gov.uk) to receive such requests that will be accessed by designated staff. We need to have your contact details in order to respond to be able to get any clarifications needed, update you on progress and provide a response. Should an appeal be necessary we must also be able to contact you in respect of its conduct.

Investigations – Complaints

When we receive a complaint in respect of a matter which we are empowered to deal with (in respect of a regulated company or UR itself), we make up a file containing details around it. This normally contains the identity of the complainant and any other individuals involved in the complaint. We will only use the **personal data** we collect to process the complaint and check on the level of service we have provided including compliance with any published timelines. We do compile and publish statistics showing information like the number of complaints we receive but not in a form which identifies anyone.

We usually have to disclose the complainant's identity to whoever the complaint is about. This is necessary where, for example, the accuracy of a complainant's record is in dispute. If a complainant doesn't want data identifying him or her to be disclosed, we will try to respect that although it may not be possible to address a complaint on an anonymous basis.

When we take enforcement action against someone, we may publish the identity of the defendant in our Annual Report or elsewhere. Usually we do not identify any complainants unless the details have already been made public.

If a complaint is received that we are not empowered to deal with we will advise you of the reasons why and which body you should contact instead. We will not pass your complaint, or any other details, onto that body or to the body that your complaint is against. We will keep a log of complaints handled in this way but not including any personal data which will, along with the substance of the complaint, be deleted immediately after you have been informed.

Investigations – Whistleblowing

We have published a guide on how external whistleblowers may refer a matter to us for investigation which falls within the parameters of the Public Interest Disclosure Order (1998). If you are making a referral in this way, we will not insist that you give us your name or other **personal data** though it is helpful to the investigation if you do so. If you wish to remain anonymous we will treat you sensitively and do all we can to protect your identity. In such a situation, we would want to talk to you about how your anonymity can be protected. If you give us **personal data** we will not disclose this to anyone without your consent unless we are legally required to do so. You should bear in mind, however, that the progress of any investigation, or subsequent action, may be impeded and that some elements of an investigative process could lead to your identification. We operate the whistleblowing referral process under our statutory powers and legal obligations.

Consultations

Our consultation guidelines and individual documents state that, in responding to a consultation, you are consenting to the publication of your response unless you state otherwise. All responses are, however, anonymised before publication. Unless you have signed up to the e-mail alert service described above, any personal data contained within your response will be deleted once the matter being consulted on has been concluded though the substance of the response may be retained. We carry out consultations under our statutory powers and legal obligations.

E-mail Alert Service

Stakeholders wishing to be alerted when consultations, decisions or announcements are posted on our website provide an email address for this purpose which is held by the third party provider of the alert service Feedblitz. For more information, see Feedblitz's privacy notice [<https://www.feedblitz.com/privacy/>]. Email addresses held for this purpose are not used for any other purpose nor passed on to any third party by Feedblitz or UR. If at any time a stakeholder wishes to be removed from this list, this can be done by notifying UR using the email or address contact details at the end of this notice. It is in the public interest that we run consultations and make announcements related to the utilities market and these emails are only sent to individuals who have opted-in to receiving them.

Anonymised Information and Cookies

When you visit our website (www.uregni.gov.uk) we use a third party service, Google Analytics, to collect standard internet log data and details of the webpages which visitors' access through cookies. We do this to find out things such as the number of visitors to the various parts of the site. This data is processed in such a way that it does not identify any individual person. We do not make, and do not allow Google to make, any attempt to find the identity of any individual visitor. You can read about how our website uses cookies at www.uregni.gov.uk/cookies.

We retain feedback comments made by the public and occasionally invite stakeholders to participate in online surveys. However, we will not seek any **personal data** in connection with these activities. Search queries and results are logged anonymously to help us improve our website and search functionality. No user-specific data is collected either by UR or any third party. Should any **personal**

data be received in the course of these activities, it will be deleted with only the anonymised communication retained.

Where you are directed to our website from another site we may receive **personal data** relating to you from it based on the data you provided to it. You should read the privacy policies of these sites as they govern the use of any **personal data** you provide which is then provided to our website.

Fraud Prevention and Detection

We collect supplier information that may include some personal data from individuals. We share this data in connection with mandatory data matching exercises such as the National Fraud Initiative (NFI) to prevent and detect fraud and error. NFI data is shared with the Comptroller and Auditor General (C&AG) under legislative powers included in the Audit and Accountability (NI) Order 2003. Data matching involves comparing sets of data, such as supplier payments and payroll records held by the UR against other records held by UR or other participating organisation. The data is usually personal and matching allows potentially fraudulent payments to be identified and investigated. Data is collected through a secure NFI portal with password and encryption. The current NFI guidance is found at: <https://www.niauditoffice.gov.uk/national-fraud-initiative>.

Data may also be shared with counterpart public bodies with grant schemes for sustainable and affordable energy requirements. Where schemes have similar scope, it is important to detect any instances where more than one claim has been made in respect of them. Data shared will be limited to what is necessary and this will typically involve data to identify the property, owner or tenant at the time of the grant, what the grant was for and how much.

Personal Information About Other Individuals

If you provide us with information about other individuals, you confirm that you have informed the relevant individuals accordingly.

Special Categories of Data Provided By You

We do not collect any **special categories of data** about you unless you tell us when submit your enquiry or complaint.

How We Keep Your Personal Data Secure

We implement appropriate technical and organisational measures in order to protect your **personal data** against accidental or unlawful destruction, accidental loss or alteration, unauthorised disclosure or access and any other unlawful forms of **processing**. We aim to ensure that the level of security and the measures adopted to protect your **personal data** are appropriate for the risks presented by the nature and use of your **personal data**.

Sharing Your Personal Data

In order to investigate a complaint, we will need to share **personal data** with the organisation concerned and other relevant bodies such as other regulators or law enforcers. Further information is available in our Complaints Procedure about the

factors we consider when deciding whether data should be disclosed. You can also get further information on:

- Agreements we have with other organisations for sharing data;
- Circumstances where we can pass on personal data without consent, for example, to prevent and detect crime and to produce anonymised statistics;
- Our instructions to staff on how to collect, use and delete personal data; and
- How we check that the information we hold is accurate and up to date.

Like any business or organisation, we use third party suppliers to assist with our operations. These third parties will **process** your **personal data** in order to carry out their services for us. For example Our IT Assist (the Northern Ireland Civil Service) in house provider operate our IT hosting and infrastructure services. Feedblitz operate our email subscription service.

We will provide **personal data** and **special categories of data** to any law enforcement agencies, regulators or the police where we are required to do so by law or to exercise our legal rights.

When Will We Delete Your Personal Data?

Data We Process	Retention Period
General enquiry forms	Until the enquiry has been completed and no further responses are received for a reasonable period.
Freedom of Information & Environmental Information Requests	As long as the information request and any appeal period remain active. After this, details of the request will remain on the log but your personal data will be deleted.
Investigation: Complaints	For a period of up to 6 years after resolution of the complaint or expiry of the period in which the consumer could bring a claim whichever is longer
Investigation: Whistleblowing	For a period of up to 5 years after conclusion of the investigation
Consultations	For a period of up to 5 years after the conclusion of the consultation process
Email Alert Service	Until you tell us that you no longer want to receive these emails

Your Rights

As a **data subject**, you have the following rights under **data protection laws**:

- Right to object to **processing** of your **personal data**
- Right of access to **personal data** relating to you (data subject rights request)
- Right to correct any mistakes in your **personal data**
- Right to prevent your **personal data** being **processed**

- Right to erasure
- Right to have your **personal data** ported to another **controller**

These rights are explained in more detail below. If you want to exercise any of your rights, please contact us (please see "How to contact us"). We will respond to any rights that you exercise within a month of receiving your request, unless the request is particularly complex, in which case we will respond within three months.

Please be aware that there are exceptions and exemptions that apply to some of the rights which we will apply in accordance with the **data protection laws** as follows.

Right to object to processing of your personal data

You may object to us **processing** your **personal data** where we rely on a legitimate interest as our legal grounds for **processing**. If you object to us **processing** your **personal data** we must demonstrate compelling grounds for continuing to do so. We believe we have demonstrated compelling grounds in the section headed "Why do we need your personal data". The key point to note is that without **processing** your **personal data**, we will not know as much about you which could affect our assessment of your suitability for a role with us.

Right to access personal data relating to you

You may ask to see what **personal data** we hold about you and be provided with:

- Copy of the **personal data**;
- Details of the purpose for which the **personal data** is being or is to be **processed**;
- Details of the recipients or classes of recipients to whom the **personal data** is or may be disclosed;
- Period for which the **personal data** is held (or criteria we use to determine how long it is held);
- Any information available about the source of that **personal data**; and

To help us find the information easily, please provide us as much information as possible about the type of information you would like to see.

Right to correct any mistakes in your personal data

You can require us to correct any mistakes in your **personal data**. If you would like to do this, please let us know what information is incorrect and what it should be replaced with.

Right to restrict processing of personal data

You may request that we stop **processing** your **personal data** temporarily if:

- You do not think your data is accurate. We will start **processing** again once we have checked whether or not it is accurate;
- **Processing** is unlawful but you do not want us to erase your data;
- We no longer need the **personal data** for our **processing**, but you need the data to establish, exercise or defend legal claims; or
- You have objected to **processing** because you believe that your interests

should override our legitimate interests.

Right to erasure

You can ask us to erase your **personal data** where:

- You do not believe that we need your data in order to **process** it for the purposes set out in this Privacy Notice;
- If you had given us consent to process your data, you withdraw that consent and we cannot otherwise legally **process** your data;
- You object to our **processing** and we do not have any legitimate interests that mean we can continue to **process** your data; or
- Your data has been **processed** unlawfully or have not been erased when it should have been.

Rights in relation to automated decision making

We do not make any automated decisions about you so this right does not apply.

Right to data portability

In some scenarios, data subjects may ask for an electronic copy of their **personal data** which controllers hold electronically or they can ask controllers to provide this directly to another party. This right does not apply to you as we do not **process** your **personal data** based on your consent or on a contract with us.

What Will Happen If Your Rights Are Breached?

You may be entitled to compensation for damage caused by contravention of the **data protection laws**.

It is important that you ensure you have read this Privacy Notice - and if you do not think that we have **processed** your data in accordance with this notice - you should let us know as soon as possible. You may also complain to the **ICO**. Information about how to do this is available on its website at www.ico.org.uk.