



Privacy Notice

Better Energy Warmer Homes Scheme

April 2020 Edition

Privacy Notice

1. General statement - We respect your privacy

The Sustainable Energy Authority of Ireland (“SEAI”) fully respects your right to privacy. This Privacy Notice (“Notice”) is intended to help you understand what Personal Data SEAI collects about you, why we collect it, what we do with it, who we may share it with and how we protect it. When we talk about “Personal Data” in this Notice, we mean any information relating to you, either directly or indirectly.

This Notice also details the rights available to you in relation to how we hold and use your Personal Data, how to exercise those rights, and what to do if you require more information or wish to make a complaint.

2. Who is responsible for your information?

SEAI is responsible for your information.

This Notice applies to SEAI, a public authority established under the Sustainable Energy Act 2002, located at 3 Park Place, Hatch Street Upper, Dublin 2.

The use of “we”, “us”, “our” and “ours” in this Notice refer to SEAI. To find out more please see our ‘About’ webpage <https://www.seai.ie/about/>.

If you want to get in touch and seek to exercise your rights as described below, please contact us at dataprotection@seai.ie.

3. Who this Notice applies to

In operating the Better Energy Warmer Homes Scheme (the “Programme”), we collect and process information which relates to a variety of categories of individuals. These include individuals who may not have a direct relationship with SEAI. We have described below the main types of individuals whose information we collect, use and otherwise process in connection with the Programme.

- Applicants, i.e. persons making applications for the Programme (not all are deemed eligible to proceed)
- Contractors, appointed to the contractor panel and who carry out works on the Programme

4. Who we receive information from?

We receive applicant information, either directly from the applicant or through a specific category of our contractors, Community Based Organisations (CBOs). CBOs gather the applicant’s information and forward this information on to SEAI on the applicant’s behalf.

We receive contractor information directly from the contractor appointed to the Programme’s contractor panel.

5. Information we collect and how we use it

In the course of administering the Programme, we collect or receive information in different ways and relating to various groups of individuals (described in section 3 above). We use this information for several reasons, including those described further below.

The types of Personal Data that we collect and process relating to the Applicant include, but are not limited to:

- name, contact details (including your mobile number and email address), MPRN;
- name and contact details for a nominated contact, if applicable;
- responses to 13 questions relating to the efficiency of your home;
- details of allowances received from the Department of Employment Affairs and Social Protection;
- carers allowance declaration form details (where applicable);
- birth cert for child (where applicable);
- information evidencing that the applicant owns their property;
- information about your interactions with us, such as customer service records; including complaints and claims;
- any other Personal Data relating to you that you provide to us, or that we generate about you in connection with our relationship with you;
- technical information (including photographs) about property and works to be carried out;
- documentation relating to the works carried out;
- miscellaneous notes relating to the application or the works being carried out;
- signature.

We use this Personal Data to:

- assess eligibility to receive works under the programme;
- correspond with the applicant in relation to their application;
- create an application for the applicant in SEAI IT system;
- arrange and conduct a survey of the property;
- make recommendations of works to be carried out on the property;
- allocate works to a contractor from our contractor panel;
- allow Oversight/Management of issues arising during works;
- arrange a BER assessment;
- carry out an audit process;
- arrange payment to contractor;
- contact the applicant for feedback;
- provide customer service to you and contact you if required to respond to any communications you might send to us;
- comply with our legal obligations;
- protect or enforce our rights or the rights of any third party;
- establish, exercise or defend legal claims;
- improve the services which we provide to you;
- improve our existing schemes;
- develop new schemes;
- respond to requests and providing information;
- monitor and evaluation of compliance with the terms and conditions of the scheme;
- detect and prevent fraud and other crime.

The types of Personal Data that we collect and process relating to the contractors (and contractor personnel) include, but are not limited to:

- name, address, phone number, e-mail address;
- bank account details;
- company financial information;
- information on qualifications and experience;
- information on subcontractors;
- tax compliance information;
- insurance details.

We use this Personal Data to:

- Make appropriate selection of contractors for contractor panel;
- Allocate works;
- Communicate with contractors in relation to works;
- Make payments to contractors;
- Assess performance;
- Make ongoing checks in relation to contractor suitability.

6. Information You give us about other people

If you provide information to us about any person other than yourself, you should ensure that you have a legal basis for doing so and that you have complied with your transparency obligations under data protection law.

7. Our legal bases

In order to collect, use, share, and otherwise process your information for the purposes described in this Notice, we rely on a number of legal bases, some of which are mentioned above, including where:

- necessary for the performance of tasks that we carry out in the public interest or in the exercise of official authority vested in us by law (including the Sustainable Energy Act 2002);
- necessary for the performance of a contract with you;
- necessary in order to take steps at your request prior to entering into a contract with you;
- or
- necessary for compliance with a legal obligation that applies to us.

8. Sharing Your Information

In the course of administering the Programme, we share information with various third parties, as set out below. We align this with the legal bases and exceptions mentioned in section 7 of this Notice.

- **Service providers:** We may share your Personal Data to help us administer the Programme and communicate with you. Categories of service providers include companies who provide inspection services, outsourced business process providers, IT software and hosting providers and records-storage companies. Where such third parties are processors, these third parties are contractually required to use it only to provide their service to us and are contractually barred from using it for their own purposes.
- **Experts, advisers, lawyers and others connected to the administration of the Programme:** We share your information with a variety of third parties so we can administer the

Programme. This may include sharing your information with advisers, solicitors and law firms, and other experts.

- **Legal and safety reasons:** We may retain, preserve, or share your information if we have a good-faith belief that it is reasonably necessary to (a) respond, based on applicable law, to a legal request (e.g., a subpoena, search warrant, court order, or other request from government or law enforcement agency); (b) detect, investigate, prevent, and address fraud and other illegal activity, security, or technical issues; (c) protect our rights, property, or safety; (d) enforce the Grant Agreement or any other contracts we have with you or a third party which relates to you; (e) prevent physical injury or other harm to any person or entity, including you and members of the public.
- **Research:** We may include your Personal Data in research studies to assess the impact and benefits of the Programme. The outcome of these studies may be published, or we may publish individual case studies. However, we will ensure that you will not be identifiable in any such studies, without your consent, which will be separately obtained.

9. Retention

We may retain your information for as long as necessary in light of the purposes set out in this Notice, including for the purposes of satisfying any legal, accounting, or reporting requirements and, where required for SEAI to assert or defend against legal claims, until the end of the relevant retention period or until the claims in question have been settled.

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. We also consider regulatory guidance, as appropriate.

10. Your Rights

You have a number of rights in relation to your information that we process. To exercise these rights, please contact us at dataprotection@seai.ie.

While some of these rights apply generally, certain rights apply only in specific circumstances. We describe these rights below.

- **Access:** You have the right to request access to your information that we control.
- **Data portability:** You have the right to request that some of your personal information in which you initially provided to us is returned to you or another controller in a commonly used machine-readable format.
- **Rectify, restrict and delete:** You have the right to ask us to restrict the processing of your information or to rectify or delete your information. Please note that despite a deletion request, we may continue to process your information if we have a legal basis to do so.
- **Object:** If we process your information in the public interest, you can object in certain circumstances. In such cases, where legally required to do so, we will cease processing your information unless we have compelling legitimate grounds to continue processing or where it is needed for legal reasons.
- **Complain:** You have the right to submit a complaint about our use of your information with your local supervisory authority or SEAI's supervisory authority, the [Irish Data Protection Commission](#).

These rights are subject to a number of exceptions under law.

11. Amending the Notice

From time to time, we may amend this Notice. This might happen, for example, where we make changes to the Programme. If we make material changes to the Notice, we will take steps to notify you, such as by posting a notice on our website. The Notice was last updated at the date indicated further below.

12. Contact Us

If you want to exercise your rights (described above), or if you have any questions about this Notice, please contact us as follows:

Data Protection Officer
Sustainable Energy Authority of Ireland
3 Park Place
Hatch Street Upper
Dublin 2
D02 FX65

Tel: +353-1-8082100
Email: dataprotection@seai.ie

Last updated: April 2020