



Business Energy Upgrades Scheme Privacy Notice

May 2024 Edition

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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 Wilton Park House, Wilton Place, Dublin 2.

The use of “we”, “us”, “our” and “ours” in this Notice refer to SEAI. For more information about us, 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 Non-Domestic Retrofit Scheme (“Scheme”) 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 Scheme.

- Applicants, ie persons making applications for Grant funding
- Beneficiaries, ie persons who are in receipt of Grant funding
- Grantees, ie persons to whom the transfer of the Grant is made as per the Scheme Grant Agreement
- Project Co-ordinator, ie the person who is undertaking the Project and acts on behalf of a Grantee
- Contractors who carry out works in the course of the Project

4. Who We Receive Information From

We mainly collect and record your personal data from you. You will provide this information directly to us, when you contact us in writing, by telephone or electronically. For example,

- if you apply for a grant, we collect information you provide us in the grant application form and we may use this information to link it to other grant applications you have made; and

- through your participation in the grant approval process, e-mails you send us or verbal information which you provide by phone is recorded or entered into our systems.

We also obtain information from third parties, for example, information provided to us by the contractors you have engaged to carry out works or measures on your business under the Non-Domestic Retrofit Scheme

When you visit the SEAI website, we gather statistical and other analytical information collected on an aggregate basis of all visitors to our website. This non-personal data comprises information that cannot be used to identify or contact you, such as demographic information regarding, for example, user IP addresses where they have been clipped or anonymised, browser types and other anonymous statistical data involving the use of our website.

SEAI does not collect any personal data about you on this website, apart from information which you volunteer (for example by e-mailing us or by completing an online registration form).

5. Information We Collect and how We Use It

We collect and process Personal Data about you which you provide us with when you apply to the Non-Domestic Retrofit Scheme, including information that demonstrates your eligibility for the scheme. Types of Personal Data includes but are not limited to:

- your name and contact details, including your address, phone number, mobile number and email address;
- your IP address;
- your payment information such as bank account details;
- details regarding your property: Meter Point Reference Number (MPRN), dwelling type, year home built and occupied, works or measures carried out or to be carried out on your 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, including records of any consent you have given and your use of the SEAI website.
- VAT No.
- Company Registration No.
- Charity No.?

The Personal Data that is referred to above will be processed for the purposes of:

- performing our functions as a public authority, including operating the various energy efficiency programmes;
- providing customer service to you and contacting you if required to respond to any communications you might send to us;
- complying with our legal obligations;
- protecting or enforcing our rights or the rights of any third party;
- processing of a grant application;
- establishing, exercising or defending legal claims;
- sending you promotional and marketing materials;
- improving the services which we provide to you;
- improving our existing schemes;
- developing new schemes;
- responding to requests and providing information;

- detecting and preventing fraud and other crime; and
- a range of other activities which we are obliged to undertake, or which we have gained your consent to complete.

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:

- it is necessary for the performance of a contract with you;
- it is necessary in order to take steps at your request prior to entering into a contract with you;
- it is 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)
- it is necessary for compliance with a legal obligation that applies to us; or
- you have provided consent to us for the use of your Personal Data.

Where you have provided consent for the use of your Personal Data, you can withdraw it at any time by informing dataprotection@seai.ie, however, this will not affect the lawfulness of processing which was carried out based on your consent prior to its withdrawal.

8. Sharing Your Information

In the course of administering the Scheme, we share information with various third parties, as set out below. We do this based upon 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 Scheme 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, advisors, lawyers and others connected to the administration of the Scheme:** We share your information with a variety of third parties so we can administer the Scheme. 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.

- **Installation Companies:** We will share data with 3rd party companies, nominated by homeowners, to allow the processing of grant applications and to ensure quality PV installations. This data will be technical data on the PV system installation, MPRN, name & address, construction year of the dwelling and BER information.
- **Impact Research:** We may use Personal Data in research studies to assess the impact and benefits of the Scheme. 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.
- **Other Research:** Where technical data may be required for research purposes, a process of de-identification of data will be undertaken. This process will remove any specific identification fields such as BER number, Meter Point Reference Number (MPRN), Specific Location Data (Address or Eircode) or any reference homeowner/ occupant. This process will also include rounding and banding of data along with any other method identified to further anonymise this data.

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 that 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 Scheme. 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

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