



Department for
Business, Energy
& Industrial Strategy

Heat Network Metering and Billing Notification Data

Privacy Notice

This privacy notice will help you to understand how we use your personal data collected through the Notification Template, and what rights you have regarding your personal data. It is made under Articles 13 and/or 14 of the UK General Data Protection Regulation (UK GDPR).

The final subsection shows additional information on how data collected relating to heat networks for analysis and quality assurances purposes will be used. This includes the name and location of the network but not personal contact details.

It is important that you read this notice, together with any other privacy notice that is provided to you on specific occasions when we are collecting or processing your personal data, so that you are aware of how and why we are using it.

This notice does not form part of any contract. This notice can be updated at any time; we will inform you if the way we handle your personal data changes.

Personal data is any information that can be used to identify a living individual, either on its own, or in combination with other pieces of data. Examples of personal data include your name and address.

Data processing includes (but is not limited to) the collection, use, and storage of data.

The data controller for the Notification data is the Department for Business, Energy & Industrial Strategy (BEIS). For Notification data relating to any heat network with final customers located in Scotland, BEIS and Scottish Government will act as joint data controllers.

The Data Protection Officer for BEIS can be contacted using the contact details below:

The Data Protection Officer
Department for Business, Energy & Industrial Strategy (BEIS)
1 Victoria Street London
SW1H 0ET

Email: dataprotection@beis.gov.uk

The Data Protection Officer for the Scottish Government can be contacted using the contact details below:

Data Protection Officer,
Victoria Quay,
Commercial Street,
Edinburgh,

EH6 6QQ

Email: DataProtectionOfficer@gov.scot

The Data

We will process the following personal data:

- Names and contact details of Heat Suppliers (“intermediaries”).
- Addresses of heat suppliers, where the given supplier address is not a commercial premises.
- Some address information of final customers, where the size of a heat network is suitably small that it is possible to identify individuals.

The purpose of processing your data

BEIS and the Scottish Government processes the personal data you provide through the Notification Template for the purposes of performing tasks carried out in the public interest or related to exercising authority as the Office for Product Safety and Standards, which is part of BEIS. This purpose is the regulation and enforcement of requirements set out in the Heat Network (Metering and Billing) Regulations 2014 (as amended) (the Regulations), regulatory activity relating to other heat network regulations and policy development relating to heat networks.

The Energy Bill Relief Scheme Pass-through Requirement (Heat Suppliers) (England and Wales and Scotland) Regulations 2022 (as amended) and The Energy Bill Relief Scheme Pass-through Requirement (Heat Suppliers) (Northern Ireland) Regulations 2022 (as amended) provide for a further task in the public interest.

The lawful basis for processing your data

BEIS and the Scottish Government process your personal data for the performance of a task carried out in the public interest or in the exercise of the official authority vested in the data controller by the Regulations, for purposes of regulatory activity and policy development. We may also use this basis to make heat suppliers aware of consultations, Government funding initiatives for heat networks, or upcoming regulatory requirements.

Recipients

BEIS will share your personal data with Ofgem and local authorities, the Energy Ombudsman, and the General Consumer Council for Northern Ireland to carry out regulatory activities relating to heat networks. BEIS may also share your personal data with other Government departments or enforcement bodies for the performance of a task carried out in the public interest or in the exercise of an official authority given to that body, for example to develop heat network policy in the Devolved Administrations or in other UK departments.

Data-sharing agreements setting out purpose for the other parties' use, terms on which the data must be stored and handled and means of destroying the data once the purpose has expired will be agreed by BEIS before your personal data is shared.

BEIS may also need to share personal data with Public Authorities (e.g. the police) or to otherwise comply with the law, for example, when we need to disclose data under the Freedom of Information Act (2000) or the Environmental Information Regulations (2004).

BEIS will, occasionally and for a limited period of time, share information including personal data with third-party service providers, for purposes of carrying out tasks that we have contracted them to do on our behalf. The details of when this may happen is explained in Section 'Personal data transfers'.

As your personal data will be stored on our IT infrastructure it will also be shared with our data processors Microsoft and Amazon Web Services.

Your rights

You have the following rights regarding your personal data:

You have the right to request information about how your personal data are processed, and to request a copy of that personal data.

You have the right to request that any inaccuracies in your personal data are rectified without delay.

You have the right to request that any incomplete personal data are completed, including by means of a supplementary statement.

You have the right to request that your personal data are erased if there is no longer a justification for them to be processed.

You have the right in certain circumstances (for example, where accuracy is contested) to request that the processing of your personal data is restricted.

You have the right to object to the processing of your personal data where it is processed for direct marketing purposes.

You have the right to object to the processing of your personal data.

You have the right to request a copy of any personal data you have provided, and for this to be provided in a structured, commonly used and machine-readable format.

If you wish to exercise your rights, please contact the Data Protection Officer. More information on your rights under the UK GDPR can be found at:

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr>

If you do not provide your personal data

If you are legally obliged to provide personal information, you may be committing an offence if you refuse. For example, it is an offence for any heat supplier to fail to comply with Regulation 3, Duty to Notify, of the Heat Network (Metering and Billing) Regulations 2014.

For matters where you are not legally obliged to provide personal information, and you choose not to, then BEIS and Scottish Government may not be able to administer your request.

Personal data transfers

Your personal data is always shared using secure transfer methods. Personal data (your name, telephone number and email address) may, occasionally and for a limited period of time, be shared with third party service providers acting under the direction of BEIS and The

Scottish Government (for those networks with final customers based in Scotland), for the purposes of delivering services in the public interest.

Personal data may be shared with other Government Departments, regulatory authorities and public bodies, the Energy Ombudsman, and the General Consumer Council for Northern Ireland to allow them to carry out a legal task, a task carried out in the public interest or an exercise on the behalf of BEIS.

We require our third-party service providers to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions. Once service provider's activities on behalf of BEIS and The Scottish Government have expired, this information will be deleted from their records in accordance with our privacy policy.

We will allow the following third parties to process your personal data:

- Back-office service providers for data storage services
- Research organisations for research, evaluation, and statistical archiving processes, including the construction of samples and carrying out of surveys.

We will update our privacy notice to reflect any additional purposes the information will be shared for.

How long we keep your personal data

We retain personal data for the duration of the regulation activity. We will continue to process personal data for as long as an individual named as heat supplier continues to have an obligation under the Regulations or may be subject to compliance activity regarding historic data submitted to us under the Regulations. We review the personal data that we have not processed in the previous 2 years and only hold the personal data as long as is necessary to meet our regulation obligations.

The use of automated decision making

Your personal data are not used in any automated decision making (making a decision solely by automated means without any human involvement) or profiling (automated processing of personal data to evaluate certain conditions about an individual).

Change of purpose

We will process your personal data for the purpose for which we collected it. If we process your personal data for another purpose that we reasonably consider to be compatible with the original purpose, we will notify you and explain the legal basis which allows us to do so.

Changes to this privacy notice

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial changes. We will also notify you in other ways from time to time about the processing of your personal data.

Date of change: 1 December 2022

Subsection "The Data" added ("intermediaries").

Subsection “The purpose of processing your data” added “The Energy Bill Relief Scheme Pass-through Requirement (Heat Suppliers) (England and Wales and Scotland) Regulations 2022 (as amended) and The Energy Bill Relief Scheme Pass-through Requirement (Heat Suppliers) (Northern Ireland) Regulations 2022 (as amended) provide for a further task in the public interest.”

Subsections “Recipients” and “Personal data transfers” added “the Energy Ombudsman, and the General Consumer Council for Northern Ireland” for the purpose of the investigation and resolution of consumer complaints. The complaints process is limited to the requirements on heat suppliers to pass through to end users the benefits received under the Energy Bill Relief Scheme.

We have also corrected minor spelling or referencing mistakes.

How to lodge a complaint

If you consider that your personal data has been misused or mishandled, you may make a complaint to the Information Commissioner, who is an UK independent regulator. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

0303 123 1113

casework@ico.org.uk

Any complaint to the Information Commissioner is without prejudice to your right to seek redress through the courts.

Details of transfers to third country and safeguards

As your personal data is stored on our IT infrastructure and shared with our data processors Microsoft and Amazon Web Services, it may be transferred and stored securely in the UK and European Economic Area. Where your personal data is stored outside the UK and EEA it will be subject to equivalent legal protection through the use of Model Contract Clauses.

Additional information relating to commercially sensitive data transfers

For statistical and analytical purposes, BEIS will share heat network data including the name and location of the network but excluding personal contact details with other government entities, regulatory authorities, or contractors who are conducting analyses and / or quality assurance on behalf of BEIS (and The Scottish Government for networks with final customers based in Scotland) to meet their public duty. Any organisation undertaking such analyses are bound by the National Statistics Code of Practice (available here; <https://www.statisticsauthority.gov.uk/code-of-practice/>) which includes specifics on data security and confidentiality.

The results of any such work will be published in aggregated format and will not identify individual companies.