

Privacy Policy

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Document History

Version No.	Published Date	Description of Change
1.0	December 2014	New document
2.0	December 2016	New Enwave template. Update wording for clarification and grammar.
3.0	February 2017	New sections 11 and 12.
4.0	June 2019	New Enwave template, document reviewed.
5.0	June 2019	Fixed spelling errors and references to Tas Gas

References

Cited in this Document

Title	Document Number
Credit Reporting Statement of Notifiable Matters (TGR)	BMSDOC-18-1613
Privacy Act 1988 and associated Privacy Principles	
Privacy (Credit Reporting) Code 2014	

Additional Reading

Title	Document Number
Code of Conduct Policy	BMSDOC-18-378
Complaints and Dispute Resolution Procedure	BMSDOC-18-977
Incident Reporting	BMSDOC-18-681
Our People Policy	BMSDOC-18-714
Privacy Amendment (Enhancing Privacy Protection) Act 2012	
Privacy Collection Statement for New and Existing Customers (TGR)	BMSDOC-18-1614
Privacy Regulation 2013	
Recruitment and Selection Policy	BMSDOC-18-723

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1. SCOPE

This policy details how we collect, maintain and use employee and customer personal information and the purpose for doing so.

2. APPLICATION

This policy applies to Enwave Australia Holdings Pty Ltd and its subsidiaries, hereinafter referred to as 'Enwave', and all employees, contractors and sub-contractors as appropriate.

This policy governs the collection, maintenance and access of personal information held by Enwave. It outlines the particulars we will use to identify people in the course of doing business and how they will be collected, stored and disclosed.

Direction is provided for how individuals may access and maintain information held by Enwave and to ensure the correction of incomplete or incorrect information.

Enwave complies with the Australian Privacy Principles as set out by the Privacy Act 1988.

3. DEFINITIONS

Term	Description
Enwave	Enwave Australia Holdings Pty Ltd includes, but is not limited to, the following subsidiaries: <ul style="list-style-type: none"> • Enwave Australia Pty Ltd • Tas Gas Retail • ENE-Hub • Enwave Australia - Operations • WaterWest
CIO	Credit and Investment Ombudsman
CRB	Credit reporting body
EWOV	Energy and Water Ombudsman (Victoria)
OAIC	Office of the Australian Information Commissioner
Privacy Act	Privacy Act 1988 and associated Privacy Principles
Privacy Code	Privacy (Credit Reporting) Code 2014

4. POLICY OBJECTIVES AND PRINCIPLES

This policy has been designed with the following objectives in mind:

- Protect personal and business information held, collected and used by Enwave to ensure adherence to the Privacy Act 1988 and the associated Australian Privacy Principles.
- Ensure the necessary risk controls are in place for the collection and use of personal information.

5. RISKS CONTROLLED UNDER THIS POLICY

Risks	Controls
Non-compliance with Privacy Act 1988 and/or Privacy Regulations 2013	Discussion with senior management on the implementation of this policy and associated processes.
Non-compliance with Enwave policies	Review and harmonisation of company processes and systems in line with this policy.

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Risks	Controls
Unauthorised access to personal data	<ul style="list-style-type: none"> Account verification and associated customer password checks System(s) access levels and passwords Ensure secure deposit of physical information and electronic data Training for staff on privacy rules and policy Incident response plan

6. RESPONSIBILITIES UNDER THIS POLICY

Role	Responsibility
CEO	Final approval of policy and monitoring compliance
Executive Managers	<ul style="list-style-type: none"> To ensure all day to day business activities comply with the Privacy Policy and ongoing monitoring Dealing with complaints and breaches of the Privacy Policy Ensure personal information gathered through marketing activities complies with the Privacy Policy Dealing with initial queries and complaints
General Manager - Safety and Compliance	Provide investigative, reporting and legal compliance advice on incidents identified and or reported

7. CONSIDERATION OF PERSONAL INFORMATION POLICY

7.1 Open and Transparent Management of Personal Information

Enwave recognises individuals with whom it conducts business and values their privacy. Access to this policy is free of charge and freely available upon request in person and/or accessible from our website.

7.2 Compliance with the Australian Privacy Principles

Enwave complies with the *Privacy Act 1988* and associated Privacy Principles (Privacy Act) and the *Privacy (Credit Reporting) Code 2014* (Privacy Code) which ensures that all information is held in accordance with and only for the purpose of providing energy advice and associated goods and services.

7.3 Anonymity and Pseudonymity

In the course of general business, you will have to provide self-identifying information. Should you not wish to provide certain information and remain anonymous or provide a pseudonym, it may be difficult and impracticable for us to fully service your needs in doing business.

Should you choose to do business with Enwave on an ongoing basis we will require you to confirm personal information to prove your identity when interacting with us. Should the information you provide not match the information we have we will not be able to deal with your enquiry on the basis we cannot confirm your identity. This ensures that we maintain the security of your personal data at all times.

8. COLLECTION OF PERSONAL INFORMATION

8.1 Personal and Other Sensitive Information

For Enwave to provide some services, we will request personal information from you, such as your name, e-mail address, company name, telephone number, date of birth, drivers licence or other form of personal identification.

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Your response to these enquiries is completely voluntary. Enwave uses this information to customise your experience when working with us. We will ensure that you have consented prior to collecting and storing your personal information. In the course of doing business we may also collect and maintain your communications with us to assist providing you with goods and services pertaining to energy services.

Enwave will only contact you when you have requested contact and provided your contact details. Once we receive your details, your personal information is immediately isolated on a secure server behind our firewall. We will not sell, lease or give your personal details to any third party without your consent. Enwave will not pass on your details to overseas parties.

Enwave may also collect the information regarding:

- customers
- suppliers
- employees
- personal contact of corporate and commercial clients
- job applicants for positions with Enwave
- type of application for energy and usage requirements
- other individuals who we have contact with in the ordinary course of business

You may at any time request a copy of the information stored by Enwave and request that it be updated to ensure it is accurate, true and correct.

8.2 Sensitive Information – Exception

Personal health information may be collected from a customer should services be critical to that person's health and wellbeing. We may disclose this information to State-based emergency organisations if we reasonably believe that the use or disclosure is necessary to lessen or prevent a serious threat to the life, health or safety (for example, if life support machinery is used at your installation/supply address).

Other information we may collect includes banking information, credit card details, credit history, concession and discount entitlements and information related to the provision of services to you including but not limited to meter information, bill and payment history.

Should you volunteer information which you believe will assist us in doing business we will maintain this in accordance to this privacy policy.

8.3 Contracted Services – Exception

Should Enwave be contracted under a Commonwealth agreement, Enwave may disclose personal information for the purposes of direct marketing or if under that contract Enwave is obligated in order to meet any such terms and conditions of the agreement.

8.4 Means of collection and Solicitation

Enwave will only collect personal information by lawful and fair means. We will not purchase your information from third parties. We will only collect information from you the customer, unless you consent with a third party to provide that information to us in the course of doing business (for example, an appliance store or gas fitting service provider working on your behalf).

Enwave may collect information by the following common methods:

- information given freely over the phone for the purpose of connecting to natural gas, moving into a property connected to natural gas or in the provision of gas fitting and appliances products and services
- information received from your natural gas supply agreement or energy contract
- from one of our preferred retailers in arranging your natural gas application

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- from response to direct marketing, competitions and promotions
- request for pricing from consultants or legal guardians acting with your consent
- when provided by a credit agency and subject to the Privacy Act
- on the provision of maintenance services for your property connection
- if you deal with us via social media, our website or other online mediums
- when you apply for a role at Enwave and from your nominated referees
- if you perform work under contract, labour hire or employed by Enwave
- from publicly available sources.

9. DEALING WITH UNSOLICITED PERSONAL INFORMATION

Should Enwave receive personal information which is not solicited by your consent, Enwave will treat it in consideration to Section 8.4 Means of Collection and Solicitation. If it is not reasonable for us to keep this information, we will ensure its removal, destruction or de-identification from our records.

10. NOTIFICATION OF THE COLLECTION OF PERSONAL INFORMATION

On or at the time of collecting personal information, Enwave will, as soon as practicable, undertake the following:

- notify you that it is reasonable that the data is collected.
- ensure that the customer is aware that the data collection has occurred.

This notification will occur under the following circumstances:

- if data is collected from someone other than the customer or potential customer.
- if the customer or potential customer is not aware that the data has been collected.
- if an authorised entity under Australian law, or by court/tribunal, orders the release or collection of personal information and provides information on the purpose for the collection of personal data and the consequence (if any) of not providing the personal information for Enwave. If this occurs Enwave will provide information on how you may complain about a possible breach of the Australian Privacy Principles and associated bodies who may handle any such complaint.
- if Enwave is forced to disclose information to an overseas recipient you will be made aware.

11. DEALING WITH PERSONAL INFORMATION – DISCLOSURE

Enwave may disclose personal information to third parties in the conduct of our business. These third parties include information technology suppliers; meter reading and maintenance contractors; debt collection agencies; marketing and advertising agencies; mailing and logistics providers; regulatory authorities; and other companies within the Enwave group of companies.

These third parties may provide us with personal information they have collected from you in the course of providing relevant products or services.

We may also disclose your personal information to third parties to whom we assign your debt. If third parties act on our behalf, we will ask them to hold, use and disclose your personal information in accordance with the Privacy Act.

12. CREDIT REPORTING POLICY

We may collect credit information from you or from third parties, including credit reporting bodies and other credit providers, in order to assist us in determining whether we will provide our services to you on credit. The type of credit information that we collect about you includes your name, address, contact details, gender, date of birth, credit history (including any repayments or late repayments you have made), details of any credit you have sought or obtained from other credit providers, any credit rating or credit assessment score that we or a credit reporting body provides to us and details of any credit-related court proceedings or insolvency applications that relate to you.

We may use and disclose information in accordance with Part IIIA of the Privacy Act and the Privacy Code for the purpose of performing our business functions. These purposes include:

- using your credit information to assess any application for natural gas that you make to us
- using your credit information to collect overdue payments that you owe us
- disclosing your credit information to credit reporting bodies who may use that information to provide credit assessment services to their customers
- disclosing your credit information to debt collector, credit management agencies and other third parties that act on our behalf
- disclosing your credit information to any third party that guarantees the credit that we provide to you
- responding to any access or correction requests that you make to us, a credit reporting provider or another credit provider
- responding to any complaint that you make, whether to us, the Office of the Australian Information Commissioner (OAIC), the Credit and Investment Ombudsman (CIO), the Energy and Water Ombudsman (Victoria) (EWOV), or any provider of a recognised external dispute resolution scheme
- any purposes required by law or the order of a court or tribunal
- any other purpose to which you expressly consent.

Where required by law, we will keep a record of any issue or disclosure that we make relating to your credit information.

We may disclose your credit information to a credit reporting body (CRB). They may share your information with other CRBs. Please refer to our *Credit Reporting Statement of Notifiable Matters* (BMSDOC-18-1613) for details of which CRBs we use and their contact details.

The CRB may provide us with reports that include your consumer and commercial credit worthiness to assist us in assessing your credit worthiness for your application for natural gas. We may disclose the following credit information to the CRB:

- your identification information (including name, contact details, gender, birth date, drivers' licence and name of employer)
- details of the credit that we have provided to you
- information that you have defaulted on your credit obligations (where your payments are more than 60 days overdue; exceed \$150; and we have given you at least 14 days prior notice of our intention to contact the CRB)
- our opinion that you have committed a serious credit infringement.

You may request that a CRB does not use your credit reporting information for the purpose of pre-screening our direct marketing. If you (or your related company or other entity) make an application for credit to us or offer to guarantee credit that we propose to provide to your related company or other entity, and we subsequently refuse your application or offer based on information provided to us by a CRB about you, we will inform you of this. We will provide you with the name and contact details of that CRB and any other information required by law to be provided to you.

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We will take reasonable steps to ensure that the credit information that we hold about you is protected from misuse and loss and from unauthorised access, modification or disclosure. We will securely store all credit information that we collect or hold about you.

You may lodge a request for access to, or the correction of, any credit information that we hold about you in accordance with section 18 of this Privacy Policy. We will correct any credit information that we hold about you where we are satisfied that the information that we hold is inaccurate, out of date, incomplete, irrelevant or misleading. If we need to, we may consult with other credit providers and credit reporting bodies about your correction request. If we correct your credit information:

- after you make a correction request, we will advise you (and any other credit provider and CRB to which we have previously disclosed that information) that we have made a correction to your credit information
- without you first making a correction request, we will take reasonable steps to advise you (and, unless it is impracticable for us to do so, any other credit provider and CRB to which we have previously disclosed that information) that we have corrected your credit information.

You may lodge a complaint if you believe that we have failed to comply with Part IIIA of the Privacy Act or the Privacy Code. If your complaint relates to access to or correction of your credit information, then you may lodge a complaint directly with the OAIC (see www.oaic.gov.au for information on how to do this) or, if you are a customer in Tasmania, with the CIO (see www.cio.com.au for information on how to do this). If you are a customer in Victoria you may lodge a complaint with EWOV (see www.ewov.com.au for information on how to do this). If your complaint does not relate to these matters, you must first make your complaint to us in accordance with section 19 of this policy.

If you have made a complaint about your credit information but we disclose your credit information before your complaint is resolved, we will also tell the recipient that you have made a complaint in relation to the information that we are disclosing to them. If you lodge a complaint regarding the correction of your credit information, we will advise any other credit provider and CRB to which we have previously disclosed your information that you have made a correction complaint in relation to that information. We will also advise these entities of the outcome of your complaint, unless it is impracticable or illegal for us to do so.

13. OVERSEAS DISCLOSURE

Enwave may disclose information to other personnel or contracting parties located outside of Australia. This may include but is not limited to call centre services, IT services and product providers or consultancies.

Enwave will take all reasonable steps to ensure that overseas recipients do not breach the Privacy Act in the use of personal information.

14. RECORDS OF DISCLOSURE

All disclosures of personal information will be recorded by way of a written note.

15. EXCEPTIONS

Enwave may use personal information for the purpose of direct marketing and or market research.

16. DIRECT MARKETING

This may occur where:

- information was collected directly from a customer by Enwave
- if it would be reasonable for a customer to expect Enwave to use or disclose the information for direct marketing communications

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- if it is impracticable to obtain consent from the customer.

Enwave will ensure that where direct marketing occurs customers have the ability to opt out and choose not to receive further marketing material and communications.

Enwave will not use personal information when:

- information is collected by Enwave, and the customer may not reasonably expect the organisation to disclose the information for that purpose
- personal information is provided by some other individual
- where the customer has previously requested not to participate in direct marketing.

17. SECURITY OF INFORMATION

Enwave will ensure information is held securely and protect personal data from misuse, interference and loss. Enwave will maintain data to ensure that information is safe from unauthorised access, modification or disclosure.

Should your information no longer be needed, Enwave will take the required steps, unless legislated by law, to destroy or de-identify stored data.

18. ACCESS AND CORRECTION

You may ask to access your personal information held by Enwave and we will provide you access in accordance with the Privacy Act, Schedule 1 - Australian Privacy Principles. You will be subject to providing identification for the purpose of providing you with the information. Access to information may be refused where health and safety are affected by the disclosure of information or legal proceeding may be about to be taken against you, or if it is deemed that the request is frivolous or vexatious. Should this occur Enwave will provide you with the reasons why in writing.

Enwave will take reasonable steps to maintain the accuracy of your information. We rely on individuals to ensure that their information is up to date, true and correct as personal circumstances change. Should you become aware of your personal data being incorrect, incomplete or out of date please contact us as soon as possible.

19. CONTACTING US

If you have any questions about this Privacy Policy or how we handle your personal information, please use one of the methods listed on our “Contact Us” page on our website or by the below method:

Post: Enwave Australia Holdings Pty Ltd
PO Box 858
Launceston Tas 7250

Email: privacy@enwave.com.au

Phone: 03 6336 9350

20. CHANGES TO OUR PRIVACY POLICY

We may change this Privacy Policy from time to time in order to comply with the privacy legislation. This will be updated on our website and will be effective from the date of uploading.