



Privacy Notice

WHS Collaborative Pilot

October 2024

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 WHS Collaborative Pilot (the “Pilot”), 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 categories of individuals whose information we collect, use and otherwise process in connection with the Pilot.

- Obligated Parties (OPs) (suppliers and distributors of large amounts of energy, who support residential and business energy upgrades to reach annual targets)
- Contractors appointed by OPs to carry out works on the Pilot.
- Homeowners, i.e. persons who will be receiving support from SEAI and the OPs in upgrading their home under this Pilot.
- Homeowners initially shortlisted for the Pilot but who do not proceed with works under this Pilot.

4. Who we receive information from?

We receive Homeowner information, either directly from the Homeowner or from the OPs. We receive contractor and OP information directly from the OP.

5. Information we collect and how we use it

In the course of administering the Pilot, we collect or receive information in different ways and relating to the categories of groups and 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 Homeowner 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;
- PPSN and Date of Birth;
- details of allowances received from the Department of Social Protection;
- carer's 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 is provided to us by the OP 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;
- your Building Energy Rating (BER) data related to your property that is held by SEAI;
- 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:

- Perform our functions as a public authority and, in particular, assessing eligibility to receive works under the Pilot and conducting research on the impact of the Pilot;
- correspond with the Homeowner in relation to their application;
- create an application for the Homeowner in SEAI IT systems;
- to allocate an application to the OP to arrange for works to be carried out;
- arrange and conduct a survey of the property;
- make recommendations of works to be carried out on the property;
- allocate works to an OP, who may in turn engage a sub-contractor to carry out the works on its behalf;
- allow Oversight/Management of issues arising during works;
- arrange a BER assessment;
- carry out an audit process, which may include an inspection of the works;
- arrange payment to the OP;
- contact you 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;
- comply with our reporting and audit 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 provide information;
- monitor and evaluate compliance with the terms and conditions of the Pilot;
- detect and prevent fraud and other crime;
- assess the impact and benefits of the Pilot;
- carry out energy sustainability related research.

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

- name, address, phone number, e-mail address;
- bank account details;
- company financial information;
- information that OPs give us related to their subcontractors;
- tax compliance information;
- insurance details.

We use this Personal Data to:

- allocate works;
- communicate with OPs in relation to works;
- make payments to OPs;
- assess performance.

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:

- where the data subject has given consent to the processing of his or her personal data for one or more specific purposes;
- 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, including fulfilling our obligations under S.I. 522 of 2022.

8. Sharing Your Information

In the course of administering the Pilot, 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.

- **OPs:** We share your information with OPs for the purpose of the home energy upgrade being planned and completed in accordance with the terms of the Pilot. The OPs may in turn share

your information with subcontractors engaged by the OP to carry out the works on their behalf.

- **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, auditors, advisers, lawyers and others connected to the administration of the Pilot:** We share your information with a variety of third parties so we can administer the Pilot. This may include sharing your information with advisers, solicitors and law firms, internal and external auditors 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.
- **Other Public Bodies:** We may share your information with other public bodies where we have a lawful basis and where required, we will have in place a data sharing agreement.

Research: We may share your Personal Data with third party researchers but only where we have a lawful basis for doing so and appropriate safeguards are in place.

SEAI has a legal basis for processing your personal data where 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 and S.I. No. 243/2012 - European Union (Energy Performance of Buildings) Regulations 2012). The functions of SEAI include promoting and assisting certain research activities. The following provides examples of where and how your personal data may be used for research purposes.

Impact Research: We may include your Personal Data in research studies to assess the impact and benefits of SEAI programmes. 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 published material.

Other Research: Where data may be required for research purposes, a process of de-identification of the data will be undertaken where possible. This process will remove any specific identification fields such as Meter Point Reference Number (MPRN), Specific Location Data (Address or Eircode) or any reference to the assessor, contractor, technical advisor or homeowner/ occupant. This process will also include rounding and banding of data along with any other method identified to further anonymise this data. Where anonymisation or pseudonymisation of the personal data is not possible in order to carry out the research and meet the research objectives, personal data will be used for research purposes only where it is appropriate and in compliance with data protection legislation. The output or publication of research will be fully anonymised and will never identify individuals.

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, auditing 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 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 Pilot. 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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