

# Enova Energy Privacy Policy

Terms & Conditions  
January 2021

Enova Energy Pty Ltd . ABN 16 606 176 756

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# 1 Background

## 1.1 General

This Privacy Policy applies to all of the activities of the Enova Community Energy Ltd (ABN 53 606 006 731) group of companies currently operating in New South Wales (NSW) and Queensland (Qld).

We are committed to protecting your privacy, in accordance with the Privacy Act 1988 (Cth). This Privacy Policy explains how we deal with your personal information and how to contact us if you have queries about our management of your personal information.

A copy of this Privacy Policy is available on our website at [www.enovaenergy.com.au](http://www.enovaenergy.com.au), or you can request a copy by contacting us (details under Section 9.4.1 below).

## 1.2 What kinds of personal information do we collect?

'Personal information' is information or an opinion, in any form (whether true or not), about an identified individual or an individual who is reasonably identifiable.

The kinds of personal information we collect and hold about you will depend on the circumstances of collection, including whether we collect the information from you as a customer, supplier, stakeholder, job applicant or in some other capacity.

## 1.3 Our obligations

We are required to comply with the Australian Privacy Principles (APPs) in the Privacy Act. The APPs regulate the way personal information is handled throughout its life cycle, from collection to use and disclosure, security, accessibility and disposal. We are also required to comply with more specific privacy legislation in some circumstances, such as:

- Part IIIA of the Privacy Act and the Credit Reporting Privacy Code when we collect and handle credit-related personal information;
- applicable State and Territory health privacy legislation when we collect and handle health information in the relevant jurisdiction; and
- the Spam Act and the Do Not Call Register Act.

# 2 What we collect

## 2.1 General

The type of personal information that we collect about you depends on the type of dealings you have with us.

For example:

- **If you are or becoming a customer** of Enova Energy, we will collect your name, date of birth, supply address, identification details (eg driver's licence number) and credit-related information about you (see Section 6), details about any concession or discount entitlements, information about the energy and related products and services we supply to you (including metering data) and details of our other dealings with you.
- **If you send us an enquiry** or provide us with feedback, we may collect your name, contact details, details of your enquiry or feedback and information about our response.
- **If you apply for a job with us**, we will collect the information you include in your job application, including your cover letter, resume, contact details and referee reports, and we may ask you to undertake tests as part of our recruitment process.

## 2.2 Sensitive information

Sensitive information is a subset of personal information that is generally afforded a higher level of privacy protection. Sensitive information includes your health, race, ethnic origin or religious beliefs. We only collect sensitive information where it is reasonably necessary for our business and operational functions or activities and either:

- You have consented; or
- We are required or authorised by law (including applicable privacy legislation) to do so.

For example, if we are supplying you with energy, we may collect information about whether you have an in-house life support machine or whether you qualify for a medical cooling concession.

## 2.3 Collection of information other than personal information through our website

Like many companies, we use 'cookie' technology on our website. 'Cookies' are small text files a website can use to recognise repeat users, store registration data, facilitate the user's ongoing access to and use of the website, allow a website to track usage behaviour and compile aggregate data that will allow content improvements and better user experience.

Cookies are not programs that come onto your system and damage files. In some cases, cookies may collect and store personal information about you and, if that is the case, we will extend the same privacy protections to that information as we do to other personal information we collect about you.

You can disable cookies or be warned when cookies are being used by adjusting your Internet browser settings. However, disabling cookies may mean that you are not able to access parts of our website or take advantage of the improved user experience that cookies can help provide.

## 2.4 Visiting our website

When you visit our website, in addition to any personal information you submit (e.g. for a quote or in a contact form), a record of your visit will be recorded.

This record may include the following types of information:

- Your server address;
- Your top level domain name (e.g. .gov, .au); the date and time of the visit;
- Pages accessed and documents downloaded;
- The address of any website that linked you directly to our site; and
- When you email us we will record your email address

## 3 How we collect personal information

We may collect personal information in a variety of ways, including from you directly (e.g. when you interact with us in writing, electronically or via telephone), when you visit our website (e.g. when you submit a quote or contact form), when you participate in our events or promotions, when we supply products or services to you and from public sources of information and marketing and similar lists which are legally acquired by us.

We may also obtain information from your distributor or the energy market operator relating to energy usage or previous energy usage at your premises, as well as from our sales agents and other third parties such as builders who advise us of the details of new energy users at a particular premises. At all times, the collection of this information is obtained by lawful means in a manner that respects your privacy.

## 4 Why we collect personal information

### 4.1 General

The main purposes for which we collect, hold, use and disclose personal information are set out below:

- To arrange connection or (if necessary) disconnection of electricity at your supply address;
- To provide you with energy and related products and services;

- To conduct credit checks (see Section 6); to collect payment for our services;
- To send you information about us and our products or services (see Section 4.2);
- To comply with our legal and regulatory obligations;
- To perform research and statistical analysis, including for customer satisfaction and service improvement purposes;
- To protect the security of our staff and premises;
- To answer queries and resolve complaints; and
- To recruit staff, contractors and volunteers

We may also collect, hold, use and disclose personal information for other purposes explained at the time of collection or:

- Which are required or authorised by law (including, without limitation, privacy legislation); and
- For which you have provided your consent.

### 4.2 Direct marketing

We may use your personal information to let you know about us and our products and services (including promotions, special offers and events) either where we have your express or implied consent, or where we are otherwise permitted by law to do so. We may contact you for these purposes in a variety of ways, including by mail, facsimile, email, telephone, SMS or other electronic means including online. Where you have consented to receiving marketing communications from us, your consent will remain current even after you cease acquiring products or services from us, until you advise us otherwise. However, you can opt out at any time, by:

- Contacting us (see Section 4.3 below);
- Advising us if you receive a marketing call that you no longer wish to receive these calls; or
- Using the unsubscribe facility that we include in our commercial electronic messages (such as emails and SMSs).

### 4.3 How can you opt out of receiving information about products and services?

You can opt out of receiving marketing communications in any of the following ways:

By sending an email to:

[marketingoptout@enovaenergy.com.au](mailto:marketingoptout@enovaenergy.com.au)

By calling our team:

on 02 5622 1700 (Mon - Fri 8:30am – 5.00pm)



In writing addressed to:  
**Enova Energy**  
9-11 Centennial Circuit  
Byron Bay NSW 2481

Please note this email address should only be used for sending marketing opt out requests. All other enquiries should be sent using the relevant online form or by contacting us via telephone.

In some circumstances we may need to contact you to obtain additional information, to verify your identity or to clarify your request.

#### 4.3.1 Information required to opt out of receiving marketing communications

Please let us know whether you wish to opt out of all marketing communications or marketing communications by specific contact channel(s). You may opt out of receiving marketing communications by:

- Direct mail
- Email
- Telephone
- SMS/MMS
- All Channels.

Please provide your contact details for each of the channels you wish to stop getting marketing communications through. These details are used to ensure that you are not included in direct marketing lists, so please make sure your information is complete and accurate.

If you are a customer, please provide your customer or account number so that your request can be confirmed against your customer details.

#### 4.4 Do we record your phone calls to us?

Yes, this is for training, service quality control and compliance purposes, where we may record and monitor telephone calls between you and us.

#### 4.5 How can you correct your information?

Please let us know if the personal information we have about you is inaccurate, incomplete or out-of-date and we will take reasonable steps to correct it, including any information relating to credit.

#### 4.6 How can you get access to your information?

You may request details of the personal information including information related to credit we hold about you and we will generally provide you with access subject to some exceptions permitted by law. For example, if providing this access may disclose

information about another person, or may disclose commercially sensitive information, we may need to refuse to grant you access.

Charges may apply to cover the cost of us accessing and providing you with this information. If we cannot provide you access, we will provide a statement of our reasons.

## 5 Who we may share your personal information with

We may also use your information for other purposes required or authorised by or under law (including purposes for which you have provided your consent).

To help us carry out these activities, from time to time we disclose personal information to other persons including:

our contractors, suppliers and agents who assist us to provide products and services and to administer and manage our business:

- Companies who manage the distribution of energy;
- Companies within the Enova Community Energy group of companies;
- Credit providers and agencies;
- Government and regulatory authorities as required or authorised by law;
- Our professional advisors such as auditors and lawyers; and
- Organisations that assist us to conduct research or analyse data.

We will take reasonable steps to ensure that these third parties are bound by privacy obligations in relation to your personal information.

In each case, we may disclose personal information to the service provider and the service provider may in turn provide us with personal information collected from you in the course of providing the relevant products or services.

## 6 Credit-related personal information

This section of our Privacy Policy explains how we manage credit-related personal information.

### 6.1 General

This section of the Privacy Policy is issued by Enova Energy Pty Ltd ABN 16 606 176 756 and Enova Community Energy Ltd ACN 606 006 731

Enova Community Energy is related body corporate to Enova Energy. Enova Community Energy provides services to Enova Energy that are reasonably necessary in collecting personal information for an application for credit made to Enova Energy. Both Enova Energy and Enova Community Energy are referred to collectively and individually as “we”, “our” and “us” in this section of the Privacy Policy.

When you enter into a contract with us, we will collect and hold your name, address, date of birth and drivers' licence number. We may disclose this information to Credit Reporting Bureaus (CRBs) if we decide to do a credit check or credit assessment on you from time to time.

If we share credit related personal information about you with (CRBs) or other participants

in the credit reporting system (including other credit providers), we are required to comply with the credit reporting provisions of Part 111A of the Privacy Act and the Credit Reporting Privacy Code (CR Code).

## 6.2 Why we collect credit-related personal information

We collect, hold, use and disclose credit-related personal information for the purposes permitted by the Privacy Act and the CR Code including:

- To assess your application for credit and verify your identity;
- To manage your account, including collecting payments;
- To help you to avoid defaults;
- To undertake debt recovery and enforcement activities;
- To participate in the credit reporting system including by providing credit-related personal information to CRBs and other credit providers; and
- For other purposes required or authorised by law.

## 6.3 How we collect and hold credit-related personal information

We collect credit-related personal information from you (directly or through the operation of your account with us), from CRBs and other credit providers and from other third parties where this is permitted under Part IIIA of the Privacy Act. We may also generate the information ourselves, through our own analyses. The information will be held by us on our customer database, located in Australia.

## 6.4 Who we disclose credit-related personal information to

We may disclose credit-related personal information to third parties for the purposes outlined above, including to:

- CRBs and other credit providers;
- Our related bodies corporate third parties that manage credit applications for us;
- Debt collectors and credit management agencies;
- Third parties in connection with the potential assignment of debts, or security for credit interest in Enova Energy; and
- Other third parties where required or authorised by law.
- If you fail to meet your payment obligations to us in relation to consumer credit, or commit a serious credit infringement, we may disclose this information to a CRB. CRBs may include the information we provide them in reports provided to other credit providers, to assist them in assessing your credit-worthiness.

## 6.5 The CRBs we use

The CRBs we deal with are Veda Advantage, Dun & Bradstreet Australia and Equifax Australia. Contact details for each, and details about how you can obtain each CRB's Privacy Policy, are set out below.

Veda Advantage Information Services & Solutions Ltd  
**Phone:** 1300 850 211  
**Mail:** Public Access Division Veda Advantage, PO Box 964, North Sydney NSW 2059  
**Email:** [Membership.query@veda.com.au](mailto:Membership.query@veda.com.au)  
**Web:** [www.mycreditfile.com.au](http://www.mycreditfile.com.au)

Dun and Bradstreet (Australia) Pty Ltd  
**Phone:** 1300 734 806  
**Mail:** Public Access Centre Dun & Bradstreet Australia, PO Box 7405, St Kilda Rd VIC 3004  
**Email:** [pacaustral@dnb.com.au](mailto:pacaustral@dnb.com.au)  
**Web:** [www.checkyourcredit.com.au](http://www.checkyourcredit.com.au)

Equifax – Public Access  
**Phone:** 13 8332  
**Mail:** Equifax Australia Information Services and Solutions Pty Ltd, GPO Box 964, North Sydney NSW 2059  
**Web:** <https://www.mycreditfile.com.au/>

## 6.6 Your rights in relation to CRBs

The detailed credit reporting information received back from a CRB (including credit scores) and any information derived from the credit check (collectively, “credit eligibility information”) will be accessible only by a “dedicated credit” team to manage your credit.

If you believe on reasonable grounds that you have been or are likely to be a victim of fraud, you can

request CRB not to use or disclose credit reporting information about you. In addition, you can request the CRB not to use your credit reporting information for the purposes of pre-screening of direct marketing by a credit provider.

The CRB may include information that we provide to the CRB in reports that the CRB provides to other credit providers to assist them to assess your credit worthiness.

If we do a credit check on you from time to time with a CRB, the CRB will generate a credit score for you and make this available to us. We will use this information from time to time to help us assess your credit worthiness, including by updating our own credit score for you.

If you become our customer, your “credit eligibility information” as described above will be stored in the secure location that is only accessible by the dedicated Enova Energy Revenue Team. However, the identification information we collected from you (that is, your name, address, date of birth and drivers’ licence number) will be held in our customer database.

If you don’t become our customer, your identification information will be held in our quotes database until such time as it is destroyed.

If, after reasonable follow up, you do not pay any outstanding amounts owed by you to us, we may supply to the CRB with this information along with relevant personal information. This may include:

- Identification information about you;
- The fact that you have applied for credit and we are a credit provider to you;
- Advice about payments more than 60 days overdue which are ‘in collection’ that we are permitted to report to the CRB;
- That, in our opinion, you have committed a serious credit infringement; and
- That credit provided to you has been paid or otherwise discharged.

Notification to the CRB that any of your outstanding payments are no longer overdue will only be made following payment of the outstanding amount including any accrued interest.

You are entitled to access and seek the correction of the credit-related personal information that we hold. If you have a complaint about the handling of your credit-related personal information you can contact our Customer Care Team.

## 6.7 What if you disagree with our decision?

Where we make a decision about you or affecting you, you may ask us to explain the basis on which that decision was made, and you may ask to see the personal information (if any) on which our decision is based.

## 7 Data quality and security

### 7.1 General

We hold personal information in a number of ways, including in hard copy documents,

electronic databases, email contact lists, and in paper files held in locked drawers and cabinets. Paper files may also be archived in boxes and stored offsite in secure facilities. We take reasonable steps to:

- Make sure that the personal information that we collect, use and disclose is accurate, up-to-date and complete and (in the case of use and disclosure) relevant;
- Protect the personal information that we hold from misuse, interference and loss and from unauthorised access, modification or disclosure; and
- Destroy or permanently de-identify personal information that is no longer needed for any purpose that is permitted by the APPs.

You can help us keep your information up-to-date, by letting us know about any changes to your details, such as your address, email address or phone number.

### 7.2 Security

The steps we take to secure the personal information we hold include website protection measures such as firewalls and anti-virus software, security restrictions on access to our computer systems, controlled access to our premises, personnel security including restricting access to personal information on our systems to staff who need that access to carry out their duties, staff training and workplace policies.

#### 7.2.1 Online credit card payment security

We process online payments using a secure payment portal. All transactions meet industry security standards to ensure payment details are protected.

#### 7.2.2 Website security

While we strive to protect the personal information and privacy of users of our website, we cannot guarantee the security of any information that you disclose online and you disclose that information at your own risk. If you are concerned about sending your information over



the Internet, you can contact us by telephone or post (see Section 9.4.1 below).

### 7.2.3 Third party websites links

Third party website links to websites that are not operated or controlled by us are provided for your convenience. We are not responsible for the privacy or security practices of those websites, which are not covered by this Privacy Policy. Third party websites should have their own privacy and security policies, which we encourage you to read before supplying any personal information to them.

## 8 Access and correction

### 8.1 General

Please contact our Customer Care Team (see Section 9.4.1 below) if you would like to access or correct the personal information that we hold about you (including credit-reporting personal information). We may charge a fee to cover our reasonable costs of locating the information and providing it to you.

### 8.2 Correction

If you ask us to correct personal information that we hold about you, or if we are satisfied that the personal information we hold is inaccurate, out-of-date, incomplete, irrelevant or misleading, we will take reasonable steps to correct that information to ensure that, having regard to the purpose for which it is held, the information is accurate, up-to-date, complete, relevant and not misleading. If we correct personal information about you, and we have previously disclosed that information to another agency or organisation that is subject to the Privacy Act, you may ask us to notify that other entity.

If so, we will take reasonable steps to do so, unless this would be impracticable or unlawful.

### 8.3 Timeframe for access and correction requests

Except in the case of more complicated requests, we will endeavour to respond to access and correction requests within 30 days.

### 8.4 What if we do not agree to your request for access or correction?

If we do not agree to your access or correction request, or if we do not agree to give you access in the manner you requested, we will provide you with a written notice setting out:

- The reasons for our decision (except to the extent that, having regard to the grounds for refusal, it would be unreasonable to do so); and

- Available complaint mechanisms.

## 9 Complaints

### 9.1 General

If you have a complaint about how we have collected or handled your personal information (including credit-related personal information), please contact our Team (details under Section 9.4.1 below). Our complaints process will depend on whether your complaint relates to the APPs or to credit-related personal information, as explained below.

### 9.2 Complaints process - APPs

Our Team will endeavour in the first instance to deal with your complaint and take any steps necessary to resolve the matter within a week.

If your complaint can't be resolved at the first instance, we will ask you to complete a Privacy Complaint Form, which asks you to explain the circumstances of the matter that you are complaining about, how you believe your privacy has been interfered with and how you believe your complaint should be resolved. We will endeavour to acknowledge receipt of the Privacy Complaint Form within 5 business days of receiving it and to complete our investigation into your complaint in a timely manner. This may include, for example, gathering the relevant facts, locating and reviewing relevant documents and speaking to relevant individuals. In most cases, we expect that complaints will be investigated and a response provided within 30 days of receipt of the Privacy Complaint Form.

If the matter is more complex and our investigation may take longer, we will write and let you know, and tell you when we expect to provide our response.

### 9.3 Complaints process – credit- related personal information

Our Team will provide you with a written notice acknowledging your complaint and explaining how we will deal with it within 7 days after the complaint is made. We will then investigate the complaint, consult any CRB or other credit providers if we consider it necessary and provide you with a written notice of our decision within 30 days (or longer if you agree).

### 9.4 If you are not satisfied with our response

If you are not satisfied with our response, you can refer your complaint to the NSW Energy and Water Ombudsman on 1800 246 545 or [www.ewon.com.au](http://www.ewon.com.au) or the Queensland Energy and Water Ombudsman on 1800 662 837 or at [www.ewoq.com.au](http://www.ewoq.com.au).

You may also refer your complaint to the Office of the Australian Information Commissioner (or, in some instances, other regulatory bodies).

#### 9.4.1 Our contact details

Please contact us if you have any queries about the personal information that we hold about you or the way we handle that personal information. Our contact details are set out below.

**Mail:** Customer Care Team, Enova Energy, PO Box 435 Byron Bay NSW 2481

**Email:** [privacy@enovaenergy.com.au](mailto:privacy@enovaenergy.com.au)

**Phone:** 02 5622 1700

Further general information about privacy is available on the website of the Office of the Australian Information Commissioner at [www.oaic.gov.au](http://www.oaic.gov.au) or by calling the OAIC's enquiry line at 1300 363 992.

## 10 Changes to this Policy

We may amend this Privacy Policy from time to time. The current version will be posted on our website and a copy may be obtained by contacting our Customer Care Team.

Last updated December 2020