

Privacy Policy

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1. Background

1.1 General

People Energy Pty Ltd (ACN 1579 727 401) (**we, us, our**) is a licensed electricity retailer currently operating in Victoria.

We are committed to protecting your privacy, in accordance with applicable Australian privacy laws. This Policy is designed to give you a greater understanding of how we collect, use, disclose and otherwise handle personal information, including credit-related personal information.

A copy of this Privacy Policy is available on our website at www.peopleenergy.com.au, or you can request a copy by contacting our Customer Care Team (details under heading 1.4 below).

1.2 What is personal information?

Personal information means information or an opinion, whether true or not and whether recorded in a material form or not, about an individual who is identified or reasonably identifiable. Examples include your name, address and contact details.

1.3 Our obligations

We are required to comply with the Australian Privacy Principles (**APPs**) in the *Privacy Act*. The APPs regulate the manner in which 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 (including the Victorian *Health Records Act*) when we collect and handle health information in the relevant jurisdiction; and
- the *Spam Act* and the *Do Not Call Register Act*.

1.4 Employee records

We are generally exempt from the *Privacy Act* when we collect and handle employee records and this Privacy Policy does not apply to that information. However, where State or Territory health privacy legislation applies, we are still required to protect the privacy of employee health information. This Privacy Policy will apply in those circumstances.

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 a potential customer of People 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 under heading 6)

- **become our customer**, we will collect payment details, 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
- **enter one of our competitions or attend one of our events**, we will collect your name, contact details and information relevant to the competition or event
- **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
- **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

If you provide us with personal information about another person (such as an authorised representative), we will ask you to tell that person about this Privacy Policy.

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 health and genetic information and membership of a professional or trade association or trade union. We only collect sensitive information where it is reasonably necessary for our 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

When you visit our website, some of the information that is collected about your visit is not personal information, as it does not reveal your identity.

Site visit information

For example, we record your server address, the date and time of your visit, the pages you visited, any documents you downloaded, the previous site you visited and the type of device, browser and operating system you used.

We use and disclose this information in anonymous, aggregated form only for purposes including statistical analysis and to assist us to improve the functionality and usability of our website. You are not individually identified, however we reserve the right to use or disclose this information to try to locate an individual where we reasonably believe that the individual may have engaged in any unlawful or inappropriate activity in connection with our website, or where we are otherwise required or authorised by law to do so.

Cookies

A cookie is a small string of information that a website transfers to your browser for identification purposes. The cookies we use do not identify individual users, although they do identify the user's internet browser.

We use cookies to hold anonymous session information. This information is used to personalise your current visit to the website, for example to allow the website to remember who you are by keeping server variables linked to your session.

We only use non-persistent cookies. That is, they are held on your browser's memory only for the duration of your session. These cookies are typically removed from your browser when you close your Internet browser.

Most internet browsers are set to accept cookies. If you prefer not to receive them, you can adjust your internet browser to reject cookies, or to notify you when they are being used. There are also software products available that can manage cookies for you. Rejecting cookies can, however, limit the functionality of our website.

2.4 What if you don't provide us with your personal information?

We will provide individuals with the option of not identifying themselves, or of using a pseudonym, when dealing with us if it is lawful and practicable to do so. A pseudonym is a name or other descriptor that is different to an individual's actual name. For example, you can access our website and make general phone queries without having to identify yourself.

In some cases however, if you don't provide us with your personal information when requested, we may not be able to offer our products or services to you. For example, you must identify yourself if we are to supply you with energy.

3. How we collect personal information

3.1 Methods of collection

We collect personal information in a number of ways, including:

- in person
- through our website (for example if you complete the "contact us" form)
- over the telephone
- through written correspondence (such as letters, faxes and emails)
- on hard copy forms (for example, competition entry forms and surveys)
- through surveillance cameras eg for building security purposes
- from third parties, including:
 - your authorised representative
 - other energy retailers (for example if switch to us)
 - electricity distribution companies
 - credit reporting bodies and other credit providers (see under heading 6)
 - publicly available sources, including telephone directories, address validation software, public registers and social media sites such as Facebook
 - builders and real estate agents

Your calls with us (or our call centre contractors) may be monitored and recorded for training, quality and process improvement purposes.

3.2 Collection notices

Where we collect personal information about you, we will take reasonable steps to provide you with certain details about that collection (such as why we are collecting the information and who we may share it with). We will generally include this information in a collection notice.

Collection notices provide more specific information than this Privacy Policy. The terms of this Privacy Policy are subject to any specific provisions contained in collection notices and in the terms and conditions of particular offers, products and services. We encourage you to read those provisions carefully.

3.3 Unsolicited information

Unsolicited personal information is personal information we receive that we have taken no active steps to collect (such as an employment application sent to us by an individual on their own initiative, rather than in response to a job advertisement).

We may keep records of unsolicited personal information if the Privacy Act permits it (for example, if the information is reasonably necessary for one or more of our functions or activities). If not, we will destroy or de-identify the information as soon as practicable, provided it is lawful and reasonable to do so.

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 under heading 6)
- to collect payment for our services
- to send you information about us and our products or services (see under heading 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
- to recruit staff and contractors

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 advertising.

Opting out

Where you have consented to receiving marketing communications from us, your consent will remain current until you advise us otherwise. However, you can opt out at any time, by:

- contacting us (details under heading 11.4 below)
- advising us if you receive a marketing call that you no longer wish to receive these calls
- using the unsubscribe facility that we include in our commercial electronic messages (such as emails and SMSes)

Notification of source

If we have collected the personal information that we use to send you marketing communications from a third party (for example a direct mail database provider), you can ask us to notify you of our source of information, and we will do so, unless this would be unreasonable or impracticable.

5. Who we may share your personal information with

We may share your personal information with third parties where appropriate for the purposes set out under heading 4, including:

- electricity distribution companies
- other energy retailers (for example if you switch from us to them)
- credit reporting bodies and other credit providers (see under heading 6)
- your authorised representatives
- our related bodies corporate
- financial institutions for payment processing
- debt collection agencies and other third parties that assist with debt recovery
- law enforcement, regulatory or government bodies where required or authorised by law
- referees whose details are provided to us by job applicants
- our contracted service providers, including:
 - meter reading and maintenance contractors

- information technology and data storage providers
- function and event organisers
- marketing and communications agencies
- research and statistical analysis providers
- call centres and mail houses
- delivery and shipping providers
- external business advisers (such as recruitment advisors, accountants, auditors and lawyers)

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

We may provide credit within the meaning of the Privacy Act to our customers in connection with the supply of our products and services (for example, if we bill you after supplying energy to you).

If we share credit-related personal information about you with credit reporting bodies (**CRBs**) or other participants in the credit reporting system (including other credit providers), we are required to comply with the credit reporting provisions in Part IIIA 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)
- for other purposes required or authorised by law

6.3 The credit-related personal information we collect

The credit-related personal information that we may collect and hold includes:

- your current and prior names, addresses and employers, gender, date of birth and driver's licence number
- the fact that you have applied for credit with us or other credit providers and the type and amount of credit sought
- the day that credit is entered into with us or other credit providers, the terms or conditions of that credit and the maximum amount of credit available
- the day on which credit provided to you is terminated or otherwise ceases
- credit payments that are overdue for more than 60 days that you have been notified of (and whether you have subsequently repaid the overdue amount)
- whether you have committed a serious credit infringement
- whether you have entered into an arrangement with us or another a credit provider in connection with credit provided to you
- credit-related court proceedings and personal insolvency information
- publicly available credit-related information
- a credit rating or score that is calculated by a CRB (or by us using information from a CRB) and that has a bearing on your credit-worthiness

6.4 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 and India.

6.5 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, security for credit or purchase of an interest in People Energy
- 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.

6.6 The CRBs we use

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

Veda Advantage

Mail: Customer Relations, Veda Advantage, PO Box 964, North Sydney, NSW, 2059

Email: membership.correction@veda.com.au

Phone: 1300 850 211

Privacy Policy: Available at www.mycreditfile.com.au

Dun & Bradstreet Australia

Mail: Public Access Centre, Dun & Bradstreet Australia, PO Box 7405, St Kilda Rd VIC 3004

Email: pacaustral@dnb.com.au

Phone: 1300 734 806

Privacy Policy: Available at www.checkyourcredit.com.au.

6.7 Your rights in relation to CRBs

(a) Pre-screening for direct marketing

Credit providers can ask CRBs to use your credit reporting information to "pre-screen" marketing lists for the credit provider. You can tell CRBs not to use your credit reporting information for this purpose by contacting them (details above).

(b) Victims of fraud

If you think you have been, or are likely to be, a victim of fraud (including identity fraud), you can contact the CRB (details above) and ask them to put a ban on using or disclosing your credit reporting information.

6.8 Access and correction of credit eligibility information

You have the right to access and correct the credit-related personal information that we hold about you. If you wish to make an access or correction request, please refer to heading 10.

6.9 Complaints about credit-related personal information

If you have a complaint about our handling of credit-related personal information, please refer to heading 11.

7. Cross border disclosure of personal information

- We may disclose personal information to third parties located in India in the course of providing the services under the retail contract.

In each case, we will comply with the requirements of the Privacy Act that apply to cross border disclosures of personal information.

8. Use of government related identifiers

We will not:

- use a government related identifier of an individual (such as a Medicare number or driver's licence number) as our own identifier of individuals; or
- otherwise use or disclose such a government related identifier,

unless this is permitted by the Privacy Act (for example, use of an identifier to verify an individual's identity or uses or disclosures required or authorised by law).

9. Data quality and security

9.1 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.

9.2 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 (such as login and password protection), controlled access to our corporate premises, policies on document storage and security, 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 .

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.

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 (details under heading 11.4 below).

Third party websites

Links to third party 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.

10. Access and Correction

10.1 General

Please contact our Customer Care Team (details under heading 11.4 below) if you would like to access or correct the personal information that we hold about you (including credit-reporting personal information).

We will require you to verify your identity before processing any access or correction requests, to make sure that the personal information we hold is properly protected.

We will generally provide you with access to your personal information, subject to some exceptions permitted by law. We will also generally provide access in the manner that you have requested (eg by providing photocopies or allowing a file to be viewed), provided it is reasonable and practicable for us to do so. We may however charge a fee to cover our reasonable costs of locating the information and providing it to you.

10.2 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.

10.3 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.

10.4 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.

In addition, if we refuse to correct personal information in the manner you have requested, you may ask us to associate with the information a statement that the information is inaccurate, out-

of-date, incomplete, irrelevant or misleading, and we will take reasonable steps to do this in such a way that will make the statement apparent to users of the information.

11. Complaints

11.1 General

If you have a complaint about how we have collected or handled your personal information (including credit-related personal information), please contact our Customer Care Team (details under heading 11.4 below).

Our complaints process will depend on whether your complaint relates to the APPs or to credit-related personal information, as explained below.

11.2 Complaints process - APPs

Our Customer Care 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.

11.3 Complaints process – credit-related personal information

Our Customer Care 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).

11.4 If you are not satisfied with our response

If you are not satisfied with our response, you can refer your complaint to the Energy and Water Ombudsman (Victoria) (EWOV) on 1800 500 509

You may also refer your complaint to the Office of the Australian Information Commissioner or, in some instances, other regulatory bodies. 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, People Energy Pty Ltd, Locked Bag 5757 Melbourne GPO Vic 3000

Email: privacy@peopleenergy.com.au

Phone: 1300 788 970

Fax: 03 8692 0002

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

12. 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 (details above).