

GIBRALTAR ELECTRICITY AUTHORITY PRIVACY NOTICE



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Version 1

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1. Introduction

Data protection and privacy is very important to the Gibraltar Electricity Authority. This policy describes what personal data we collect and process, how and why we collect and use it, how long we retain it for and how we protect it. It also explains your rights under the General Data Protection Regulation and The Data Protection Act 2004 (DPA) and how to contact us in respect of those rights.

For the purposes of this Privacy Policy “we”, “our”, or “us” means Gibraltar Electricity Authority whereas “you”, “your” refers to our customers (consumers) or any other data subjects whose personal data we may process, such as our suppliers. Our employees are however referred to the company’s internal Privacy Policy.

2. What type of personal data do we collect

As part of our application process for connection and/or disconnection of electricity supply, we may collect from you the following personal details: name(s), date of birth, passport or ID card details, telephone numbers, e-mail address, current address, previous address, billing address (if different), death or marriage certificates, and your signature.

Additional personal data may be collected to assist customers with the settlement of arrears and setting up of repayment agreements, such as income and expenditure records or separation agreements.

CCTV cameras are in use at our Consumer Services Office and therefore your image may be recorded should you visit our premises. CCTV recordings, both video and audio, are automatically overwritten 1 month after the recording takes place.

Sensitive personal data

Sensitive personal data refers to certain categories of personal information, such as race, ethnicity, religion, health, political opinions, sexual orientation or biometric information, or data relating to criminal convictions and offenses, which require additional protection under the General Data Protection Regulation.

There are specific situations where we collect customer’s medical reports, such as when arrears are owed or when customers have medical equipment at home requiring electricity supply.

There may also be instances where we are privy to medical information when processing data for another controller or when assisting governmental bodies or authorities with their investigations.

We limit the personal data collection, storage and usage to data that is relevant, adequate and necessary to successfully fulfil our obligations.

3. Why we collect your personal data

We may collect your personal data for one or more of the following reasons:

- To supply you with electricity;
- To disconnect your supply when requested;
- To provide you with details of our services and your consumption;
- To meet our legal obligations under The Gibraltar Electricity Authority Act 2003;
- To assist persons in special circumstances with arrears repayment agreements; and
- To prevent security breaches.

4. How we collect your information

We collect your information when you interact with us. For example, when you:

- Visit our offices to request our services,
- Fill in our application form for connection or disconnection,
- Communicate with us and provide us with data via social media, our mobile application or our website,
- Get in touch with us via any medium, including using third parties,
- File a complaint or request,
- Apply for a job with us.

5. How we use your information

We use your personal information to:

- Supply you with electricity and our related services,
- Keep our operations secure and prevent crime and fraud,
- Comply with The Gibraltar Electricity Authority Act 2003 or to reply to requests from governmental bodies, law enforcement or regulatory authorities.

6. Lawful basis to process personal data legitimately

We identify the lawful basis we rely upon in order to collect, use and keep hold of your personal information. The following are the principal bases we rely upon:

- **Contractual basis:** Where you have applied for electricity supply and/or our services, our use of your data is in order to fulfil our responsibilities under the contract we have entered into.
- **Legal obligation:** When processing or retaining is necessary for fulfilling our obligations under The Gibraltar Electricity Authority Act 2003 ("The Act").

- **Public Task:** The Authority was established with the object of supplying electricity to the general public under The Act and as such, processing of personal data is required in order to fulfil the requirements of the Act.
- **Health or Social Care purposes:** We may from time to time be privy to a person's medical condition or medical records, or financial situation in connection with arrears or special requirements. Before processing this special category of personal data we will seek your explicit consent as our additional lawful basis under Article 9(2)(a) of the GDPR.

We do not generally process personal data based on the lawful basis of consent at Article 6 of the GDPR (as we rely on other lawful bases).

We do not send out marketing materials to our consumers.

7. Personal data retention

We will keep your information for as long as we need it for the purpose it is being processed for, taking into account the "lawful basis" we may rely upon for processing or retaining your information (e.g. the performance of a contract with you, a legal obligation, our legitimate interests, our duties under The Act, any health or social care matters or if assisting authorities in their investigations).

We will keep the information for a period which enables us to handle or respond to any complaints, queries or concerns relating to our services.

We will actively review the information we hold and delete it securely, or in some cases anonymise it if required i.e. for statistical purposes, when there is no longer a legitimate reason for it to be retained.

8. Sharing of personal data

We may share your personal information with third parties as follows:

- With public authorities or law enforcement bodies (if officially required to do so). These include H.M. Government of Gibraltar's Central Arrears Unit, Treasury Department, Housing Department, Department of Education, and No. 6, The Citizens Advice Bureau, and The Royal Gibraltar Police.
- With our processors, AquaGib Limited, who carry out the following on our behalf: read meters, issue bills and collect payments.
- With estate agents, managing agents or lawyers provided they can offer evidence that they have a legal right to obtain certain data or have written authority from you.
- With subcontractors, or other agencies and their sub-contractors, whom receive no more information than necessary for them to help us fulfil our obligations.

Data transferred is limited to what is absolutely necessary.

We do not transfer personal data to any other third party, nor to any country outside the EEA, except under the following circumstances:

- To comply with requirements of legal proceedings;
- If our processors, suppliers or joint controllers are compelled to do so by law;

9. Security and integrity of personal data

We have a framework of policies, procedures and training covering data protection, confidentiality and security and regularly review the appropriateness of the measures in place which keep the data we hold secure. We implement technical measures to ensure a level of security proportionate to the level of risk assessed for specific data sets.

We have contractual agreements in place with our processors and suppliers which include data protection clauses, to ensure that these entities protect data in accordance with applicable legislation.

The CCTV camera recordings are only ever accessed by authorised personnel when necessary, i.e. in the event of a security breach or incident.

Proof of identity is required with application forms, or when making changes to details on your account, or when requesting information relating to your account, in order to protect our consumers. This is required for all data subjects named on the account.

10. What your rights are under law

Data subjects have certain rights over their personal data. You have the right to ask us:

- To confirm whether we hold any of your personal data;
- To provide you with a copy of any personal data that we hold about you;
- To correct any inaccuracies in your personal data and to modify it in such a way if you believe the personal data we hold is incomplete;
- To delete (in as much as is possible in the specific circumstances) any of your personal data, where we are required to do so by law;
- To stop processing your personal data, where required to do so by law;
- To let you have a portable copy of the personal data we hold about you, where required to do so by law;
- To stop processing any of your personal data that is processed by us on the basis of our legitimate interests; and
- Where we process your personal data on the basis that you have given us your consent to do so, you may contact us at any time to withdraw your consent.

If you wish to exercise any of these rights, or object to our processing your personal data, please email us on gdpr@gibelec.gi or write to us at the address provided below.

11. Fees to access Personal Data

You will not need to pay in order to access your Personal Data or to exercise any of the other rights. However, if your request is clearly unfounded or excessive, we may charge a reasonable fee to deal with your request or refuse to deal with the request. In either case, we will need to justify our decision.

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information or to exercise any of your other rights. This is another appropriate security measure to ensure that Personal Data is not disclosed to any person who has no right to receive it.

12. Contact us

If you have any questions or concerns about the information we hold about you and how we use it, or you wish to exercise any of your rights as described above, you may contact our Data Protection Team at gdpr@gibelec.gi.

You may also write to us, visit us or call us:

Address: Gibraltar Electricity Authority
Rosia Road Electricity Centre
4-8 Rosia Road
Gibraltar
GX11 1AA

Phone: +350 20075957

Alternatively, you may contact our Data Protection Officer at dpo@gibraltar.gov.gi.

Should you be unhappy with our handling of any data protection query or have concerns about our processing of personal data, you may also contact the Gibraltar Regulatory Authority by writing to info@gra.gi.

13. Changes to this Privacy Notice

We continually review and update this Privacy Notice to reflect changes in our services, as well as to comply with changes in the law. We will notify you of any updates either in writing or by updating this Privacy Notice in our website.

We may also notify you in other ways from time to time about the processing of your Personal Data.