

# Privacy Policy



## About this privacy notice

At Orchard Community Energy, we respect your privacy and are committed to protecting your personal data. This “privacy notice” explains what we do with your personal data, why we want to use it, how we protect it, and what rights you have to control our use of it.

It applies not just to use of our website, but also personal data that we process through other interactions with individuals in the course of running our organisation and delivering our services. This includes our investors, our community contacts and people working or volunteering for our partners, suppliers, grantees and other contacts. Our website and services are not intended for children and we do not knowingly collect data relating to children.

## Information about us

Orchard Community Energy is a community benefit society registered in the UK (registration number 7217) by the Financial Conduct Authority under the Co-operative and Community Benefit Societies Act 2014 (referred to as “Orchard Community Energy”, “we”, “us” or “our” in this privacy notice). We collect, use and are responsible for certain personal data about you. When we do so we are regulated under data protection laws including the General Data Protection Regulation (“GDPR”) and we are responsible as “data controller” of that personal information for the purposes of the law.

We serve the communities of Swale and Medway in the UK by developing and running community-owned renewable energy, low carbon and energy efficiency projects. From our profits, we make grants to fund eligible projects by local charities.

If you want to contact us about any of the points on this notice, or just generally about how we protect your privacy, please email us at [info@orchardcommunityenergy.org](mailto:info@orchardcommunityenergy.org). Our contact address is W106 Vox Studios, Durham Street, Vauxhall, London, SE11 5JH.

## The purpose and lawful basis for processing your personal data, how we collect it and how long we hold it for

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We use personal data from different categories of individual for several different purposes and each with its own lawful basis. This section describes these in detail and, although it’s technical, we’re required by law to explain this to you.

**If you visit our website:**

We use Squarespace Analytics and Google Analytics on our website to track visitor numbers and user activity. This records a truncated form of the IP address of people browsing our site (an IP address is also a piece of personal data) as well as browser type and information about technology on the devices used to access it. This helps us understand visitor behaviour (in order to make the website more useful and easier to use) and find out things such as the number of visitors. We do this on the basis that it is necessary for our legitimate interests in monitoring and improving our website.

**If you fill in a form on our website to contact us or download a document:**

We will store the data you enter (usually name, contact details, comment) for the purposes of responding to your enquiry and business development. We do this on the basis that it is necessary for our legitimate interests in promoting our society and its operations to interested parties. We store your data for as long as we need to interact with you for these purposes. In all cases if you would like us to update or delete your information, please send us an email (see “How to contact us” below) or use the unsubscribe links on marketing emails.

**If you receive our email newsletter:**

We will hold your email address for the purpose of sending you updates on our society and related news. We process this data on the basis that we have your consent. You can withdraw your consent at any time by using the “unsubscribe” links at the bottom of each email.

**If you work or volunteer for one of our partners or grantees or if you are a community contact or operate in a field relevant to our mission:**

We may hold your name, company, job title and contact details. We will have been provided with this data either by you or your employer or in some cases we may have sourced it from publicly available sources, such as Linked In and internet searches. We need this data to interact with you (or your employer) for the following purposes:

1. Operating and promoting our society and its activities;
2. Communicating with interested people regarding events, news and updates;
3. Gathering and disseminating information and sharing knowledge relevant to community energy and local sustainability.

We do this on the basis that it is necessary for our legitimate interests in running and growing our society. We will hold your details for as long as we need to interact with you for these purposes. In all cases if you would like us to update or delete your information, please send us an email (see “How to contact us” below).

**If you are a supplier or work for a supplier:**

We may hold your name and contact details because we have a legitimate interest in doing business with your company. Our purpose for processing your personal data is to interact with you or your employer to procure and pay for goods and services. We will hold this information for as long as we need to interact with you for these purposes. In all cases if you

would like us to update or delete your information, please send us an email (see “How to contact us” below).

### **If you are or have applied to be one of our shareholders or bondholders**

We may hold your name, contact details and relevant financial information such as your investment and bank account details for the purpose of communicating with you, organising AGMs, managing our investor base and providing good investor services. We do this on the basis that it is necessary for our legitimate interests in running our business as a community energy society. We will hold this information for as long as we need to interact with you for these purposes. In all cases if you would like us to update or delete your information, please send us an email (see “How to contact us” below).

### **If you apply for a job or to volunteer with us:**

We will hold any personal data you send to us, or that is sent to us by a third-party recruitment agencies or websites. This is likely to be your name, contact details and CV. We will use this data for the purpose of communicating with you and assessing your suitability for jobs for which we are recruiting. We do this on the basis that it is necessary for our legitimate interests in recruiting talented people to run our society. We will hold this information for as long as we need to interact with you for these purposes and, if you do not proceed to work with us, it will normally be deleted 6 months after a decision is made.

If you do then work with us, we may use this data for the purpose of interacting with you and meeting our organisational obligations and needs. We will do this on the basis that it is necessary for our legitimate interests in running and growing our society. We will hold this information for as long as needed for this purpose including for as long as needed to meet our legal and regulatory responsibilities.

In all cases if you would like us to update or delete your information, please send us an email (see “How to contact us” below).

### **Our use of website cookies**

We may also store information about you using cookies, which we can access when you visit our site in future. Cookies are small files, which are sent by us to your computer or other access device, that track, save and store information about your interactions and usage of our website. Overall, cookies help us provide you with a better service by enabling us to monitor which pages you find useful and which you do not.

You can choose to accept or decline cookies. Most web browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies if you prefer. Information on deleting or controlling cookies is available at <http://www.allaboutcookies.org>. Deleting or disabling cookies may prevent you from taking full advantage of our website and services.

## **Who we share your personal data with**

### **Data processors**

We use a number of different service providers (acting as ‘data processors’) who provide services or cloud-based software to enable us to operate our business and the services we provide to our customers. Your personal data is transferred to (and stored by) these service providers (as our ‘data processors’), who generally fall under the following categories:

- Community energy asset management
- Investment Registrar services
- Website analytics
- Website, email and data hosting
- Mailing list management
- IT and system administration
- Document storage
- Email, contacts and calendar
- Accounting and billing

These ‘data processors’ only process data on our behalf. They won’t use your personal data for their own purposes and we only permit them to use it in accordance with our instructions, our contract with them and the law.

For security reasons we do not name all our service providers in this privacy notice. The types of personal data we hold about you (and that may be transferred to our data processors) are set out above. Please contact us (see below) if you want further information on specific data processors or the types of personal data they process for us.

### **Other circumstances in which we may need to share personal data with third parties**

We may also share your personal data with the following third parties in certain circumstances:

- Other organisations within our group
- Law enforcement or regulatory authorities (such as tax authorities) if required by applicable law
- Professional advisors such as lawyers, bankers, accountants or auditors in order to provide legal, finance, accounting or auditing services.
- We may need to disclose your information to a third party as part of a merger or transfer, acquisition or sale, or in the event of a bankruptcy.

We will not sell or rent your information to third parties and we will never share your information with third parties for marketing purposes.

## **International transfers of personal data, and the measures in place to safeguard it**

We do not directly transfer any of your personal data outside the European Economic Area (EEA) other than when communicating with you if you or your service providers are based outside the UK and the EEA. However, some of our data processors may do so and this section explains the impact of these international transfers and how your information is protected.

We believe that this information is accurate at the date of publication and will update it from time to time. For the latest information on international transfers of personal data outside the UK, including to and beyond the EEA, please see the Information Commissioner's Office website.

Many of our data processors operate "cloud-based systems", which means the information is held in information data centres in different locations. Some of them reserve the right to hold copies of your personal information outside the EEA. Please note that the reason companies may choose to do this is to hold back-up copies, so they can guarantee recovery.

In each case we and our processors employ one or more of the following mechanisms that are designed to help safeguard your privacy rights:

- Certain processors only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission. For further details, see [European Commission: Adequacy of the protection of personal data in non-EU countries](#).
- Until July 2020, providers storing data in the US, could be self-certified to the EU-US Privacy Shield which required them to provide similar protection to personal data shared between the Europe and the US. For further details, see [European Commission: EU-US Privacy Shield](#).
- With certain service providers, we may use specific contractual clauses approved by the European Commission which give personal data the same protection it has in Europe. For further details, see [European Commission: Model contracts for the transfer of personal data to third countries](#).

Please contact us (see below) if you want further information on the specific mechanisms used by our data processors when transferring your personal data out of the UK and/or the EEA.

## **Your personal data rights**

The personal data we hold about you is **your** data, so you have certain rights over the data under the GDPR. This section summarises your rights and how you can exercise them (generally free of charge).

You have the right to **request a copy** of all personal data we hold relating to you. You also have the right to require us to **correct** any mistakes in the personal data we hold relating to you.

Where we are processing your data based on your **consent** you can **withdraw that consent** and we must immediately stop processing your data. Please note that up to that point, we're acting lawfully with your consent, withdrawal of consent cannot be backdated.

Where we process your data based on a **"legitimate interest"** (as described in the section on "purpose and lawful basis", above) you still have the **right to object** to our processing of that data if you feel it impacts on your fundamental rights and freedoms. From that point, we must stop processing your data until we have determined whether your rights override our interests.

You also have the **right to object** where we are processing your personal data for direct marketing purposes. The easiest way to do this is to use the unsubscribe links at the bottom of all marketing emails.

In certain situations, you have the right to require us to **erase** personal data where there is no good reason for us continuing to process it. However, note that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

You have the right to **request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) where you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

Finally, you have the right to request the **transfer** of your personal data to you or a third party in a structured, commonly used, machine-readable format. Note that this right only applies to automated processing of information about you, if carried out based on your consent or where it is necessary to perform a contract with you.

For further information on each of these rights, including the circumstances in which they apply, see the [Guidance from the UK Information Commissioner's Office \(ICO\) on individuals rights under the General Data Protection Regulation](#).

If you would like to exercise any of these rights, the easiest way is by dropping us an email (see "How to contact us" below). Please note:

- We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it.
- We try to respond to all legitimate requests quickly, but in any event within one month. Occasionally it may take us longer than a month if your request is particularly

complex or you have made a number of requests. In this case, we will notify you and keep you updated.

### **Automated decision-making using personal data**

You have a right to object to any decisions being taken through the processing of your personal data by automated means if they produce legal effects concerning you or similarly significant effects on you. We can confirm that we do not undertake any automated decision-making, or profiling, based on the processing of personal data.

### **Your rights to lodge a complaint with the Regulator**

At all times, you have the right to report a concern or make a complaint to the Information Commissioner's Office. Visit the Information Commissioner's Office website or call their helpline on 0303 123 1113 for further details. Of course, we hope that we can resolve your issue quickly and fairly ourselves.

### **Keeping your personal information secure**

We have appropriate security measures in place to prevent personal information from being accidentally lost or used or accessed in an unauthorised way. In addition, we limit access to your personal data to those board members, staff, volunteers, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

### **Changes to this privacy notice**

This privacy notice was last updated on 20 April 2021 and historic versions can be obtained by contacting us.

We may change this privacy notice from time to time by posting a new version of this document.

### **How to contact us**

If you have any questions, concerns or just want some more information about our privacy management, drop us a line at [info@orchardcommunityenergy.org](mailto:info@orchardcommunityenergy.org).