

Privacy and Credit Reporting Policy

Energy On – Simplifying Utilities

Version: 3.2

Date: June 2022



Privacy and Credit Reporting Policy

Introduction

Energy On Pty Ltd (ABN 90 145 225 485) provides electricity, gas, hot water, energy-related services and other products and services. Energy On is part of the Energy On group of companies (referred to in this document as the Energy On Group, we, us or our and listed <https://www.energyon.com.au/about-us/>). We are committed to the protection of personal privacy and have adopted a policy to protect information about individuals. The Privacy Act 1988 (Cth) (Privacy Act), the Australian Privacy Principles (APPs), and the Credit Reporting Code (Code) govern the way in which we must manage your personal information and credit-related information and this policy describes the information we collect and hold, how we use that information, how that information may be disclosed, the security of that information, how you can access and correct any such information and other relevant details concerning your privacy.

Collection of Information

Types of information collected

We may collect and hold personal information about you, that is, information that can identify you, and is relevant to providing you with the products and services you are seeking. If you are a customer, we are likely to provide you with products and services on credit terms (that is, you will pay for those products or services after we start providing them to you). As such, we may collect and hold various information related to your financial position and your creditworthiness (such as 'credit information', 'credit-eligibility information', 'CRB derived information', and 'CP derived information' (as those terms are defined in the Privacy Act), detailed further below).

The kinds of information we collect from you depends on our relationship with you. We interact with individuals who purchase our products and services ('customers'), individuals who supply us with products and services ('suppliers'), users of our website or social media channels and individuals seeking information about our products and services ('users'), and employees, contractors, and job applicants. We also interact with property owners, and individuals within body corporate and owners corporations committees, body corporate and owners corporation managers, and real estate agents ('property owners and managers'). Some property owners and managers may also be customers where they have purchased our products and services (including where we have procured equipment and infrastructure on credit terms). In those circumstances, the customer sections of this policy will apply in addition to the property owners and managers sections.

Personal Information

The kinds of personal information we typically collect from **customers** includes names, property address, contact details, credit-related information (which is detailed further below), bank account details, and other personal information relevant to providing you with the goods and services you are, or someone else you know is, seeking.

The kinds of personal information we typically collect from **property owners and managers** includes names, contact details, and other personal information relevant to providing you with the goods and services you are, or someone else you know is, seeking.

The kinds of personal information we typically collect from **suppliers** includes names, contact details, and other personal information relevant to you providing us with the relevant goods and services.

The kinds of personal information we typically collect from **employees, contractors and job applicants** includes names, contact details, personal information contained within a job application or resume, bank account and superannuation fund information, tax file number and ABN (with respect to sole traders). During your engagement with us, we may also collect and hold sensitive information about you, including health information, vaccination status, racial or ethnic background, sexual orientation or practices, criminal record, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association or trade union, genetic information, biometric information, and biometric templates.

The kinds of personal information we typically collect from **users** includes information collected through the use of our website and digital platforms, including user preferences, 'cookie' information, and geographical location. Additional personal information we collect from users includes name and contact details, and any other personal information relevant to providing the information you are seeking.

Credit-related Information

This section applies to customers only. In this Privacy and Credit Reporting Policy, we refer to 'credit-related information' to capture some or all information related to your financial position such as credit that have been provided to you, or that you have applied for, which may have bearing on your creditworthiness and which we may use in our decision to approve or reject your credit application. This credit-related information includes:

- (a) information about your financial position, including income, liabilities, and repayment capacity (we do not disclose this information to credit reporting bodies);
- (b) credit information, such as:
 - (i) identity details (including aliases);
 - (ii) the fact that you have applied for credit, the type of credit, and the amount;
 - (iii) personal insolvency information;
 - (iv) the identity of your other credit providers;
 - (v) consumer credit liability information;
 - (vi) the opinion of a credit provider that you have committed a serious credit infringement;
 - (vii) court proceedings information that relates to any credit that has been provided to, or applied for by you;
 - (viii) the fact that credit provided to you has been paid or otherwise discharged (including the date of discharge);
 - (ix) advice that payments are no longer overdue and the date on which overdue payments were made; and

- (x) publicly available information that relates to your activities in Australia and your credit worthiness (other than court proceedings information or information that you are entered or recorded on the National Personal Insolvency Index);
- (c) credit eligibility information, such as:
 - (i) a credit score provided by a credit reporting body;
 - (ii) default information;
 - (iii) repayment history information;
 - (iv) credit inquiries;
 - (v) court proceedings information;
 - (vi) personal insolvency information; and
 - (vii) information associated with your overall credit worthiness.
- (d) CRB derived information, such as a credit score or credit rating.

The kinds of ‘CP derived information’ we derive from information disclosed to us by credit reporting bodies includes our own score of your credit worthiness, and a risk profile analysis.

Method of collection

Personal information

Personal information will generally be collected directly from you through a variety of avenues, including the use of any of our standard forms, when you sign up to receive our emails or other communications, using our website or social media accounts, via email, through a telephone conversation with you, in person, or through an employment application from you.

There may, however, be some instances where personal information will be collected indirectly because it is unreasonable or impractical to collect personal information directly from you. We will usually notify you about these instances in advance, or where that is not possible, as soon as reasonably practicable after the information has been collected.

If you are a customer, we may collect and hold personal information about you provided by the property owners and managers of the property, leasing agents of the property, or by third parties acting on your behalf. If you are a job applicant, we may collect and hold personal information about you provided by referees, recruiters, or past employers.

Credit-related information

This section applies to customers only. Where possible, we will collect credit-related information directly from you through the use of our standard forms, via email, through a telephone conversation with you, in person, or via our website. However, we will also collect credit-related information from credit reporting bodies. In certain situations, credit eligibility information may be disclosed to us from another credit provider (for example, where we have entered into a co-financing arrangement with a third party credit provider). We may also collect credit-related information about you from third parties acting on your behalf.

Unsolicited information

If we receive unsolicited information about you that we do not ask for or which is not directly related to our functions or activities, we may be required to destroy or de-identify that information, provided it is lawful and reasonable to do so.

Purpose of collection

Personal information

The personal information we collect and hold about you depends on your interaction with us. Generally, we will collect, use and hold your personal information if it is reasonably necessary for or directly related to the performance of our functions and activities and for the purposes of:

- (a) providing goods and services or information to you or someone else you know (including provision of electricity, gas, hot water, cold water, or telephony; managing services; invoice services; and equipment and infrastructure procurement services);
- (b) facilitating our internal business operations, including:
 - (i) fulfilment of any legal requirements (including maintaining employment records);
 - (ii) establishing our relationship with you (including processing and assessing account and credit applications, as well as job applications);
 - (iii) maintaining and managing our relationship with you and communicating with you in the ordinary course of that relationship (including response to enquiries, feedback or complaints);
 - (iv) maintaining and managing the engagement of an employee or contractor, and terminating that engagement;
 - (v) analysing our services and customer needs with a view to developing new or improved goods and services;
 - (vi) contacting you to provide a testimonial for us; and
- (c) providing you with information about other goods and services that we and other organisations that we have affiliations with, offer that may be of interest to you.

Except as otherwise permitted by law, we only collect sensitive information about you if you consent to the collection of the information and if the information is reasonably necessary for the performance of our functions, as set out above.

Credit-related information

This section applies to customers only. We collect and use your credit-related information in order to assess your financial position and your application for a credit account, providing you with credit, for securitisation-related purposes, for our internal management purposes that are directly related to the management of credit, where we reasonably believe that you have committed a serious credit infringement, and where otherwise required or permitted by law.

Failure to provide information

If the personal information you provide to us is incomplete or inaccurate, we may be unable to provide you with the goods and services you are seeking, and we will not be able to assess your job application. Failure to provide all or some of the information required of an employee may adversely affect our ability to comply with our legal obligations of your employment.

If you are a customer and the credit-related information you provide to us incomplete or inaccurate, we will not be able to assess your application for a credit account.

Internet users

If you access our website, we may collect additional personal information about you in the form of your IP address and domain name.

Our website may contain links to other websites. We do not have any control over those websites. We are not responsible for or liable for the privacy practices of linked websites and linked websites are not subject to our privacy policies and procedures.

Our website uses cookies. The main purpose of cookies is to identify users and to prepare customised web pages for them. Cookies do not identify you personally, but they may link back to a database record about you. We use cookies to monitor usage of our website and to create a personal record of when you visit our website and what pages you view so that we may serve you more effectively.

How do we use and disclose your information?

Generally, we only use or disclose personal information and credit-related information about you for the purposes for which it was collected (as set out above). We may disclose your personal information and, if you are a customer, credit-related information about you, to:

- (a) our workers, contractors, and other entities in the Energy On Group to facilitate our and their internal business processes;
- (b) third parties who assist us in operating our business and providing services to you (including property owners and managers (if you are a customer), payment processors, cloud data storage suppliers, information technology service providers, mail distribution service suppliers, or professional advisers such as lawyers, accountants, and auditors) and these third parties may not be required to comply with our privacy policy;
- (c) other entities in the Energy On Group and other organisations with whom we have affiliations so that those organisations may provide you with information about services and various promotions (we will not disclose credit-related information to these entities);
- (d) third parties to whom you have agreed we may disclose your information; and
- (e) as otherwise permitted and required by law.

If you are a customer, in addition to the above, we may also disclose credit information or credit eligibility information about you to:

Equifax Pty Ltd (contact details are available at <https://www.equifax.com.au/contact>). For information about how Equifax manages credit related personal information, see their privacy policy available on the website set out above;

- (a) third parties who assist us in processing your credit application or managing the credit provided by us;
- (b) third parties for securitisation purposes;
- (c) third parties for the purposes of considering whether to accept an assignment of debt, or to take an interest in the credit provider;
- (d) other Australian credit providers (either with your consent, or as permitted by law);
- (e) enforcement bodies;
- (f) external dispute resolution providers;
- (g) guarantors or proposed guarantors (either with your consent, or as permitted by law);
- (h) credit insurers;
- (i) debt collectors; and
- (j) other third parties where required or authorised by law.

If we disclose your information to other credit reporting bodies in the future we will update this collection statement.

Equifax may include your information in reports provided to other credit providers to assist them to assess your credit worthiness. If you do not pay for the products and services that we provide to you, if you commit fraud or try to do so, or if you otherwise commit a serious credit infringement, we may disclose this information to Equifax. This may affect your ability to obtain credit in the future.

You may (by using the contact details set out above) request that Equifax does not:

- (a) use your credit reporting information for the purposes of pre-screening of direct marketing; or
- (b) disclose your credit reporting information if you reasonably believe that you have been, or are likely to be, a victim of fraud.

We may expand or reduce our business and this may involve the sale and/or transfer of control of all or part of our business. Personal information or credit-related information, where it is relevant to any part of the business for sale and/or transfer, may be disclosed to a proposed new owner or newly controlling entity for their due diligence purposes, and upon completion of a sale or transfer, will be transferred to the new owner or newly controlling party to be used for the purposes for which it was provided under this privacy policy.

We will also disclose your personal information or credit-related information to a third party where the personal information or credit-related information was collected from you for the purposes of passing that information on.

The Owner(s) or Owner(s)' Manager where you reside may request that we provide them with your personal information for the purposes of contact you to sign you up with a different provider. We will not disclose your personal information in these circumstances.

We won't sell, trade, or exchange your personal information or credit-related information without your permission.

Disclosure of information overseas

We are assisted by a variety of external service providers to operate our business and deliver our products and services, some of whom may be located overseas, and to whom we are likely to disclose your information. These third parties are too numerous to list, and they change from time to time. Some examples of the types of third parties include technology service providers who may be located in United States of America and Vietnam. We take reasonable steps to ensure these third parties have appropriate security for your personal information.

No Contact List

The Energy On Group maintains a 'No Contact List' of customers who have opted out of receiving any marketing material the Energy On Group may send in the future. To be listed on the 'No Contact List' please email us at TheTeam@EnergyOn.com.au.

Security of information

We store your personal information and credit-related information in different ways, including in paper and in electronic form. The security of your information is important to us. We take all reasonable measures to ensure that your information is stored safely to protect it from interference, misuse, loss, unauthorised access, modification or disclosure, including electronic and physical security measures.

Some of the information we collect is hosted on third party data servers, which may be located outside of Australia. We take reasonable steps to ensure any third party data storage suppliers we partner with have appropriate cyber and physical security controls in place.

Where information we hold is no longer necessary, we delete the information or permanently de-identify it, subject to specific laws in respect of data retention.

Access and correction of information

You may access the personal information or credit-related information we hold about you, upon making a written request. We will respond to your request within a reasonable period. We may charge you a reasonable fee for processing your request (but not for making the request for access).

We may decline a request for access to information in circumstances prescribed by the Privacy Act, and if we do, we will give you a written notice that sets out the reasons for the refusal (unless it would be unreasonable to provide those reasons), including details of the mechanisms available to you to make a complaint.

When making a request to access credit-related information, you should also request access to credit-related information held by credit reporting bodies.

If, upon receiving access to your personal information or credit-related information or at any other time, you believe the information we hold about you is inaccurate, incomplete or out of date, please notify us immediately. We will take reasonable steps to correct the information within 30 days (or another time frame agreed with you in writing) so that it is accurate, complete and up to date.

If we refuse to correct your information (for example, where it would be unlawful), we will give you a written notice that sets out our reasons for our refusal (unless it would be unreasonable to provide those reasons), including details of the mechanisms available to you to make a complaint.

Complaints and Feedback

If you have any queries or concerns about our Privacy and Credit Reporting Policy or the way we handle your personal information or credit-related information, or you wish to make a complaint about a breach of the Privacy Act, the APPs, or the Code, please contact us using the details below and we will take reasonable steps to investigate your complaint in accordance with our Complaint Handling and Dispute Resolution Policy, and respond to your queries and concerns within 30 days (or another time frame agreed with you in writing).

Street address: PO Box 2624, Mount Waverly, VIC 3149.

Email address: Feedback@EnergyOn.com.au or Complaints@EnergyOn.com.au

Telephone: 1300 323 263

Website: www.EnergyOn.com.au

For more information about privacy in general, you can visit the Office of the Information Commissioner's website at www.oaic.gov.au.

If after this process you are not satisfied with our response, you can submit a complaint to the Office of the Information Commissioner. To lodge a complaint, visit the 'Complaints' section of the Information Commissioner's website, located at <http://www.oaic.gov.au/privacy/privacy-complaints>, to obtain the relevant complaint forms, or contact the Information Commissioner's office.

Amendments to this policy

We may from time to time make changes to this Privacy and Credit Reporting Policy. If we amend the policy, we will post the amended policy on our website and it will be effective from the date of posting. Any information we hold will be governed by the most current Privacy and Credit Reporting Policy.

Document History

| Version | Date | Author | Comment |
|---------|---------------|-------------|---------------------------------------------------------------------------------------------|
| 1.0 | March 2016 | C. Hancock | Draft issued for consultation |
| 1.1 | December 2017 | A. McMeekin | Document reviewed |
| 1.2 | April 2017 | A. McMeekin | Formatting update |
| 1.3 | October 2018 | R. Di Noto | Content review |
| 2.0 | March 2019 | E. Buxton | Formatting update |
| 2.1 | April 2019 | R. Di Noto | Content review |
| 3 | October 2020 | R. Di Noto | External review, change of name from Privacy Policy to Privacy and Credit Reporting Policy. |
| 3.1 | October 2021 | R. Di Noto | Annual review |
| 3.2 | June 2022 | R. Di Noto | Annual review, update of Equifax link. |