

Buyer Portal for the Utilities Switching Service (“Buyer Portal”) Privacy Notice v1.0

Last review: 1st November 2018

The Buyer Portal for the Utilities Switching Service (“Buyer Portal”) is operated by Gemserv Limited (“**Gemserv**”, “**we**”, “**us**”) of 8 Fenchurch Place, London EC3M 4AJ. This privacy notice sets out the basis on which we will process information, including personal data, you provide to us or that we collect for the purposes of carrying out duties and functions in respect of the Utilities Switching Service we deliver on behalf of the Crown Commercial Service (“**CCS**”) in accordance with the provisions set out under lawful purposes in accordance with relevant data protection legislation, such as the Data Protection Act (“**DPA**”), or the General Data Protection Regulation (“**GDPR**”).

Please read the following carefully to understand our views and practices regarding information we collect and process, and how we will treat it. The set of rights you can exercise as an individual under current data protection legislation is stated along with the contact information of relevant parties.

For an explanation of terms used, refer to the definitions section at the end of this policy.

Information about Buyer Portal User Personnel (“User Information”) we process

Access to the Buyer Portal is limited to individuals who have been provided with an individual user account, by us (“**Buyer Portal User Personnel**”, “**you**”). To ensure only legitimate Buyer Portal User Personnel access the Buyer Portal via the dedicated website

<https://schoolswitch.crowncommercial.gov.uk/#!/home>, we will process the following:

- information you, or your organisation, provides when registering for and/or using our Buyer Portal, or when you report a problem with the Buyer Portal or otherwise correspond or communicate with us. This may include name, address, email address, telephone number, and quote information;

In addition, we may also store information about how you use our Buyer Portal, for example, the pages viewed, the website from which you came to visit, changes you make to information you supply to us, details of the quotes you request and your transactions as well as the connection made when a Buyer Portal User accesses the Buyer Portal including:

- technical information, including your Internet Protocol (IP) address, your login information, browser type and version, time zone setting, browser plug-in types and versions, operating system and platform; and
- information about your visit to and use of the Buyer Portal, including the full Uniform Resource Locators (URL) clickstream to, through and from the service (including date and time); page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs), and methods used to browse away from the page.

Purposes of the processing and storage of User Information

The User Information we process, or store may fall within one or more of the following categories:

- to provide you with access to and use of the Buyer Portal;
- for internal operations including data analysis, audit management, testing, research, reporting, statistical and survey purposes and to keep the Buyer Portal safe and secure;
- to improve the Buyer Portal and notify you about changes to the Buyer Portal; and

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- to ensure that content from the Buyer Portal is presented in the most effective manner for you and for your computer.

We are required to inform you of the legal basis on which we are processing personal data. We process personal data because it is necessary to perform the contract we have in place with you to provide our services and for our legitimate interests of ensuring that the performance of the Buyer Portal is optimised.

Storage of data

Any personal data we hold of the Buyer Portal User Personnel will be stored for only if it is required, according to governing laws. Once you cease to require access to the Buyer Portal, we will delete all personal data, but may keep other information for analytical and performance reasons.

International transfers of personal data

Buyer Portal Information and User Information the Buyer Portal holds, is kept within the European Economic Area and any Buyer Portal Information and User Information that constitute personal data is protected by the DPA, or the GDPR, whichever is in vigour.

How Gemserv will protect your data

We treat any personal data about you and any technical information about the connection between the device used by the Buyer Portal User Personnel and the Buyer Portal dedicated website with the utmost care to prevent loss, misuse or unauthorised access. To ensure the safeguard of the data, we take a variety of appropriate technical and organisational measures. For example, we implement access controls, use firewalls and secure servers, and encrypt personal data.

Disclosure of Information

We will make Buyer Portal Information available to Buyer Portal User Personnel for your organisation only in accordance with the terms and conditions of use for the service, but we will not otherwise share Buyer Portal Information or User Information with any third-party except:

- suppliers who provide you with a quote or other services;
- where we are under a legal, regulatory or professional obligation to disclose this information, such as for the detection or prevention of fraud or any other criminal offence, or to protect our contractual or other rights, property, or safety or those of others;
- where we, or substantially all our assets, are merged or acquired by a third party, in which case this information may form part of the transferred or merged assets; or
- where we are using a third-party service provider to provide services that involve data processing.

We may supply market intelligence information to CCS however this will be done on an anonymised basis

Links to Third Party Websites

The Buyer Portal may contain links to third party websites. If you follow a link to any third-party website, please be aware that these websites have their own privacy policy and that we do not accept any responsibility or liability for their policies. Please check these policies before you submit any personal data to these websites.

Your Rights

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In compliance with existing data protection legislation, individuals have a set of rights that can be exercised with regards to their personal data. For Buyer Portal User Personnel, Gemserv shall fulfil legitimate requests for the following rights:

- To ask for a copy of the personal data we hold on you. You can specify to obtain it either in physical or digital form;
- To ask us to correct data about you that is inaccurate. For instance, if your personal name changes;
- To ask us to delete personal data we hold about you in certain circumstances;
- To ask us to restrict the processing of personal data we hold about you in certain circumstances;
- To object to us processing personal data about you in certain circumstances; and
- To request that we provide a copy of your personal data in a machine readable format or to ask us to send your personal data to another company. This applies to personal data that you have provided to us and which we have processed electronically, such as personal data you provided to us when you obtained a quote.

Under the GDPR, the period to fulfil the request is one month, normally free of charge, though at the discretion of Gemserv a small fee may be applied in cases where the request is complex.

To make a Subject Access Request you will need to provide adequate proof of identity via a copy of one of the following:

- your passport; or
- photo driving licence; or
- foreign national identity card

Plus a copy of one of the following:

- A letter sent to you by Gemserv; or
- Utility Bill showing current home address; or
- A bank statement or building society book

before your request can be processed, as well as paying any fee, if applicable. The request can be transmitted via email or by post, using the contact details in the 'Contact us' section on the Gemserv website at <https://www.gemserv.com/subject-access-request/>.

Changes to Our Policy

We keep this policy under regular review and may be amended by us at any time. Any updated version of this policy will be published on the Buyer Portal website at <https://schoolswitch.crowncommercial.gov.uk/#!/home>, and distributed to Buyer Portal User Personnel. Please check this page periodically to inform yourself of any changes.

This policy was last reviewed on 1st November 2018.

Contact us

By activating a user account with the Buyer Portal or by providing any personal information to us offline (for example, where you write to us) you are accepting and consenting to the practices described in this policy.

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If you have any questions, need further information about our privacy notice or practices, would like to let us know that your details require updating, or would like to request one of your available rights, please contact us at USSHelpdesk@Gemserv.com, or

USS Helpdesk

8 Fenchurch Place,

London EC3M 4AJ.

Contact the Information Commissioner's Office ("ICO")

In case you are dissatisfied with the service provided by the USS Helpdesk team with regards to the fulfilment of your rights and would like to lodge a complaint, you can contact the ICO via:

- email: casework@ico.org.uk;
- telephone number: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number; or
- postal address:

Customer Contact, Information Commissioner's Office

Wycliffe House

Water Lane, Wilmslow

SK9 5AF

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Definitions used in this policy

Data controller	means the individual or corporate entity that determines the purposes and means of the processing of personal data.
Data Processor	means the individual or corporate entity which processes personal data on behalf of the controller.
Data Protection Act (DPA)	means the Data Protection Act 1998, and any statutory instrument that has effect under that Act, all as amended from time to time.
Buyer Portal Terms and Conditions of Use	means an agreement between Gemserv and you that sets out conditions, rights and obligations in relation that persons access the Buyer Portal.
Buyer Portal User Personnel	means those individuals granted access to the Buyer Portal by Gemserv, and who has compliance responsibility.
Buyer Portal	means the Utilities Switching Service Buyer Portal established by Gemserv to allow Buyers to obtain information on energy suppliers and enter into contracts with energy suppliers for the provision of services in accordance with the terms and conditions of use of the Crown Commercial Service (CSS) Dynamic Purchasing System (DPS).
European Economic Area	provides for the free movement of persons, goods, services and capital between its Member States.
General Data Protection Regulation	means the General Data Protection Regulation, which seeks to harmonise data protection legislation among the European Economic Area Member States. From 25 th May 2018 it replaced the Data Protection Act (DPA) in the United Kingdom.
Internet Protocol	means the set of rules governing the format of data sent over the Internet.
Personal data	means data which relates to a living individual who can be identified from that data, or from that data and other information which is in the possession of, or is likely to come into the possession of Gemserv.
Uniform Resource Locators	means the standardised naming convention for addressing documents accessible over the Internet.
User Information	means information about any Buyer Portal User Personnel.
Utilities Switching Service (USS) Helpdesk	means the Utilities Switching Service (USS) helpdesk run by Gemserv Limited.

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