

Policy

ZEN Energy Privacy Policy

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YOUR PRIVACY AND THE LAW

We are committed to ensuring that the privacy of your personal information is respected and maintained at all times. We are bound by the Australian Privacy Principles (**APPs**) in the *Privacy Act 1988* (Cth) (**Privacy Act**).

This Privacy Policy outlines how we manage your personal information and how we collect, hold, use and disclose that information.

By providing us with your personal information, you authorise the personal information being collected, held, used and disclosed in accordance with this Privacy Policy. This Privacy Policy is in addition to any other applicable terms and conditions that may apply to your relationship and/or engagement with us.

THESE WORDS WHEN USED IN THIS PRIVACY POLICY HAVE THE FOLLOWING SPECIFIC MEANINGS:

APPs means the Australian Privacy Principles in the Privacy Act.

CRB means a credit reporting body.

credit information has the same meaning as in section 6N of the Privacy Act, which for ease of reference could include information such as consumer credit liability information, repayment history information, types and amounts of credit you have sought, default information, and personal insolvency information. Please refer to the Privacy Act for a complete list of all types of credit information.

credit eligibility information has the same meaning as in section 6 of the Privacy Act, which for ease of reference could include information such as credit reporting information about you that has been disclosed by a credit reporting body or information derived from such information and which has a bearing on your credit worthiness. Please refer to the Privacy Act for a complete list of all types of credit eligibility information.

personal information means information or an opinion about an identified individual or an individual who is reasonably identifiable:

- (a) whether the information or opinion is true or not; and
 - (b) whether the information or opinion is recorded in a material form or not,
- and personal information includes sensitive information.

Privacy Act means the *Privacy Act 1988* (Cth).

sensitive information means information or an opinion about your racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual orientation or practices, criminal record, health information, genetic information, biometric information for automated verification or identification purposes or biometric templates.

we, our, or us means ZEN Energy Retail Pty Ltd ACN 615 751 052 and each of its related bodies corporate (as that term is defined in the *Corporations Act 2001* (Cth)), including those listed at the end of this Policy.

you or your means anyone who:

- is one of our wholesale or retail customers;
- is a service provider, supplier or contractor to us;
- is a job applicant or employee;
- visits our main website at **zenenergy.com.au** or any of our affiliated websites (**Sites**), or visits any of our social media channels or subscribe to our mailing lists (**Channels**); or
- comes into contact with us in another setting.

WHAT TYPE OF PERSONAL INFORMATION DO WE COLLECT?

We may collect and hold personal information about:

- current, potential and former customers, contractors and/or suppliers;
- service providers, suppliers and their employees and contractors;
- current, prospective and former employees and contractors, and their next-of-kin or emergency contacts; and
- other individuals we deal with in the course of carrying on our business.

We collect personal information in order to manage and conduct our business, to provide and market our products and services and to meet our legal obligations.

We generally collect and hold the following types of personal information about our customers:

- your basic contact information and details (e.g. name, address, email, date of birth, and other contact details);

- your government identifiers (e.g. tax file number, driver's licence, passport and/or visa details);
- (if you work for an organisation that is our customer) your work-related identifiers (e.g. industry, employer, role, relationship with other parties etc.);
- (if you apply for a credit account with us) your credit information (including, without limitation, credit information and credit eligibility information);
- your financial information (e.g. billing and account details, payment history);
- details of the products and services we have provided to you, or that you've enquired about, including any form that we may ask you to complete (whether electronic or paper-based) or additional information necessary to deliver those products and services and respond to your enquiries;
- records of our communications or dealings with you, including any complaints, incidents requests or queries;
- information that you post to our Sites or Channels;
- when you access our products or services, or our Sites or Channels we may collect information that is sent to us by your computer, mobile device or other access device, including – your device ID, device type, IP address, geo-location, computer and connection information, referral URL, statistics on page views, traffic to and from our products, services, Sites and Channels;
- CCTV footage from any of our premises;
- any other personal information that may be required in order to facilitate your dealings with us and/or to assists us in conducting our business, providing and marketing our services and meeting our legal obligations.

If you are applying for a job or contract with us (via an employment or labour hire agency), or if you are a supplier or contractor, we may also collect and hold:

- your basic contact information (e.g. name, address, contact details, date of birth, and other personal details);
- your identity information (e.g. photograph, date of birth and citizenship or residency details);
- your government identifiers (e.g. tax file number, driver's licence, passport and/or visa details);
- your financial information (e.g. bank account and superannuation details for invoicing and/or payroll purposes);
- information about your occupation, employment history, education and suitability for the role or relationship, including criminal history, social media profiles and whether you hold any licences/permits or police clearances required for the role;
- name and details of emergency contacts;
- your health and medical information, including medical history and contact details for your medical practitioners and treatment providers;
- information about your past or current performance in the role or relationship;
- CCTV footage; and

- other sensitive information as required.

HOW DO WE COLLECT AND HOLD YOUR PERSONAL INFORMATION?

We generally obtain personal information about you by collecting it:

- **Directly from you** - For example, via forms you complete for us, orders you place with us and through your interactions with us and our staff, such as via our website, over the phone, via email or in person, via our sign-in systems, such as via our SINE system where you must sign in before entering our offices, or via front door passcodes and access swipe cards when you enter our office spaces.
- **Indirectly from you** - For example, through the use of our Sites and Channels.
- **From CCTV cameras** – that may be placed on and around our premises.
- **From our service providers and contractors** - For example, from our IT service providers, marketing agencies and other personnel who assist us or who provide goods or services to you on our behalf.
- **From other people involved in your business** - For example, from your business partner or a co-director of your company in connection with an order being placed with us or an application for credit.
- **From other third parties relevant to your relationship with us** - For example, from:-
 - trade contacts or trade references you have provided to us, if we are considering trading with you or an entity related to you;
 - credit reporting bodies or credit references, if we are considering providing credit to you or an entity related to you.
 - your current or past employer (with your prior consent), if you are applying for a job with us;
 - your employment or labour hire agency, if you have been referred to us by that employment or labour hire agency; or
 - service providers we engage to assist with promotions or competitions
- **From publicly available websites or sources.**

Unless one of the limited exemptions under the Privacy Act applies, we will only collect your sensitive information if you consent to such collection and if such sensitive information is reasonably necessary for one or more of our functions or activities.

If you have provided us with information about another person, you warrant that you have that person's permission to do so. Your obligations under Privacy Act may also mean that you need to tell that person about the disclosure and let them know that

they have a right to access their personal information and that we will handle their personal information in accordance with this Privacy Act.

We hold your personal information in various ways, including in paper and electronic form. We take reasonable steps to protect your personal information from misuse, loss, unauthorised access, modification and disclosure including the use of secure electronic and hardcopy storage systems.

We will retain your personal information for as long as we require it to fulfil the purpose for which it was collected, unless a longer retention period is required for the purpose of discharging our legal, accounting and reporting requirements. Where we no longer require your personal information, we will use reasonable endeavours to comply with our legal obligations in respect of that information (e.g. by de-identifying or destroying such personal information).

FOR WHAT PURPOSES DO WE USE PERSONAL INFORMATION?

Unless you consent otherwise or where we are otherwise permitted to do so by law, personal information will only be used for the purposes for which it was provided (**primary purpose**) or for a purpose related, or in the case of sensitive information, directly related to the primary purpose. Some examples of the purposes we ordinarily use personal information for are detailed below.

For customers:

- to verify your identity and communicate with you;
- to provide you with requested goods or services (including contacting you and our delivery agents or installers to make delivery, installation or payment arrangements, issue reminders or arrange returns);
- to facilitate your participation in any subsidy, rebate or similar schemes that may be offered by any government agency;
- to respond to any feedback, queries or complaints;
- to provide joint marketing initiatives with other service providers;
- to perform data analysis and/or market research;
- for our internal management purposes, to manage our relationship with you and to manage the payment and recovery of amounts payable to us by you;
- to enable us to conduct our business generally, such as notifying our freight and shipping contractors, our installers or our insurers, undertaking quality assurance, internal teaching and data processing and handling;
- to tell you about our products or services that might better service your business or personal requirements or other opportunities in which you may be interested;

- to comply with any law;
- for billing and account management; and
- for other purposes which are reasonably necessary in connection with our normal functions and activities.

If you are applying for a job or contract with us (or via an employment or labour hire agency), or if you are a supplier or contractor, we may also use your personal information:

- to assess and determine your eligibility or suitability for a job or contract with us;
- to contact professional or other reference(s) you have provided in connection with a job application to discuss your experience/employment;
- to process, administer, collect payments from or make payments to you and if applicable, make appropriate tax deductions;
- to ensure health and safety on our premises or work sites;
- to assess performance of current employees or contractors; and
- to maintain and administer your employee records.

If we are considering providing credit to you or an entity related to you, we may also use your personal information:

- to assess relevant credit or guarantee applications;
- to monitor and produce assessments in relation to your credit worthiness;
- to review and manage your credit account;
- to obtain credit reports and disclose credit information to CRBs; and
- to disclose credit reports to any solicitors and mercantile agents for enforcement and recovery purposes.

Under the Privacy Act, individuals may request CRBs not to:

- use their credit-related personal information to determine their eligibility to receive direct marketing from credit providers; and/or
- use or disclose their credit information, if they have been or are likely to be, a victim of fraud.

In addition, CCTV footage specifically may be used for the following purposes:

- detecting and deterring unauthorised access to, and criminal behaviour on, our premises;
- monitoring the safety and security of our customers, employees, contractors and suppliers, and completing incident investigations; and
- reviewing the actions of our employees and contractors.

Please see other sections of this Privacy Policy below, for further information regarding access, correction, complaints and how we generally handle personal information.

WHO WILL WE DISCLOSE YOUR PERSONAL INFORMATION TO?

Generally, we may disclose your personal information:

- to any person you consent to receiving such information (e.g. when you place an order with us, you consent to us providing your name and delivery address to our delivery contractors to enable delivery);
- to our staff and management (e.g. for business decision, data processing, marketing and administrative purposes);
- to our service providers, advisors and contractors who provide services that assist us in operating our business (e.g. IT services, archiving, auditing, banking, data processing, marketing and advertising, recruitment, data analysis, and business intelligence etc.) or who assist us in providing products or services to you (e.g. our freight and shipping contractors or insurers);
- to any government agency, and their agents and contractors, in connection with any subsidy, rebate or similar schemes; and
- to any person we are required or authorised by law to disclose your personal information.

If you are applying for a job or contract with us, we may also disclose your personal information:

- to any professional or personal reference(s) you provide in connection with your job or contract application; and
- to our insurers, for our own professional insurance purposes.

If we are considering providing credit to you or an entity related to you, we may also disclose your personal information to the following CRBs:

- Equifax (www.equifax.com.au);
- Dun & Bradstreet (Australia) " (www.dnb.com.au);
- Experian (www.experian.com.au);
- Creditor Watch (www.creditorwatch.com.au).

We may disclose your personal information to overseas recipients, including the United States, the United Kingdom, the European Union and the Philippines.

We will take reasonable measures to ensure that disclosure is in compliance with the requirements of the Privacy Act. By providing us with your personal information, however, you consent to the disclosure of such information to overseas recipients, and acknowledge that in the event that an overseas recipient breaches the Privacy Act, that entity will not be bound by, and you will not be able seek redress under, the Privacy Act.

DEALING WITH US ANONYMOUSLY

You have the option of not identifying yourself or using a pseudonym when dealing with us, unless we are required by law or a court or tribunal to deal with individuals who have identified themselves, or it is impractical for us to deal with you if you have not identified yourself.

COOKIES

To improve our Sites and advertising, and to help us better understand browsing behaviour, when you use our Sites we may use website measurement software and other analytics tools and services (including Google Analytics and Salesforce Marketing Cloud) to gather information such as traffic patterns, mouse click activity, IP addresses, and any other information you may provide through use of our Sites. We may also use analytics tools available on our Channels. This information is aggregated and anonymised so that you cannot be identified.

Like many other websites on the internet, we may use 'cookies' to store and track information about you when you are on our Site or Channels. A cookie is a data file that is sent to your browser from a web server and stored on your computer (or other device), then sent back to the server by your browser each time you access certain sections of our Site or Channels.

This information helps us to remember your preferences and can help us to provide a tailored experience and customised content and material on our Sites and Channels. This information may be retained in an anonymous or aggregated form after we have erased personal information that identifies you from our systems.

You can choose to disable cookies via your device's website browser settings. However, this may mean you are unable to take full advantage of the features of our website.

DIRECT MARKETING

From time to time we may use your personal information to provide you with marketing materials in relation to offers, specials, products and services that we have available, whether by email, phone or SMS. We will not collect, use or disclose your sensitive information for the purpose of direct marketing without your written consent. If you do not want us to contact you for these purposes, you can withdraw your consent at any time by following opt out instructions provided in such marketing communications, or by contacting our Privacy Officer via the details below.

ACCURACY OF YOUR PERSONAL INFORMATION

While we will endeavour to ensure that the personal information collected from you is up to date, accurate and complete, we will assume that any personal information provided by you is free from errors and omissions. If you believe the personal information we hold about you is inaccurate, incomplete or out of date, you may request that we update or vary personal information that we hold about you using the contact details set out below. If you satisfy us that any personal information we hold about you is not accurate, complete or up-to-date, we will amend our records accordingly

REQUESTING ACCESS TO YOUR PERSONAL INFORMATION

You may obtain access to personal information which we hold about you by contacting us using the contact details set out below. When you request copies of your personal information held by us we will endeavour to provide you with such personal information as soon as reasonably practicable, provided however that there may be occasions when access to personal information we hold about you is denied. Such occasions would include where release of the information would have an unreasonable impact on the privacy of others.

In processing your request, we will comply with our obligations under the Privacy Act. We may require you to verify your identity and specify what information you require. We will give you reasons if we deny access.

We ask that requests for access to personal information be made in writing. Photo identification may be required and an access fee may be payable.

CHANGES TO OUR PRIVACY POLICY

This Privacy Policy is current as at 16th November 2023. We reserve the right to change this policy at any time, to take account of new laws and technology, changes to our operations and practices and the changing business environment. The updated policy will be available on our website or can be obtained by contacting our Privacy Officer via the details below.

By continuing to use our products, services, Sites or Channels, or otherwise continuing to deal with us, you accept these changes and this Privacy Policy as it applies from time to time.

CONTACT US

If you have any queries, or wish to request access to your personal information or make a complaint about how we have handled your personal information, please direct your enquiries to:

Privacy Officer

Bianca Bastian

Address: Level 2, 134 Fullarton Road, Rose Park SA 5067

Email: bbastian@zenenergy.com.au

Phone: 1300 936 466

We will investigate any complaint and respond to you as quickly as possible (usually within 20 working days of hearing from you). For further information about making a privacy complaint, or the progress or outcome of any investigation, please contact the Privacy Officer using the details above.

If you are not satisfied with our response to your complaint, you may make a complaint to the Office of the Australian Information Commissioner at: GPO Box 5218, Sydney NSW 2001 or by email to enquiries@oaic.gov.au.

Zen Energy related bodies corporate:

- ZEN Energy Retail Pty Ltd (ACN 615 751 052);
- ZEN Energy Markets Pty Ltd (ACN 633 808 778);
- ZEN Energy Future Pty Ltd (ACN 634 921 896);
- ZEN Energy Wholesale Pty Ltd (ACN 633 808 483).