

PassivSystems Ltd

Privacy Policy



1. Introduction and General Terms

PassivSystems Limited (“we” or “us”) is committed to protecting personal information collected from you when you are using our products and services or PassivLiving™, our secure online monitoring and management dashboard (www.passivliving.com). We want our services to help you better manage your home energy systems.

This Privacy Policy relates to our use of:

- **Personal information:** Any personal information which we are legally obliged to use in line with the laws concerning the protection of personal information, including the Data Protection Act 1998 (these laws are referred to collectively in this Privacy Policy as the “data protection laws”)
- **Use data:** data that we generate through your use of PassivSystems products and services. You own this data, but allow us to use it for the purposes specified in this Privacy Policy. In order to provide you with the full range of our services, we are required to collect information about you and your home.

This privacy policy therefore explains the following:

- What information we may collect about you;
- How we will use information we collect about you;
- When we may use your details to contact you;
- Whether we will disclose your details to anyone else;
- Your choices regarding the personal information you have provided to us, or that we have generated about you and your household’s energy use;
- The use of cookies on PassivLiving™ and how you can reject these cookies.

As set out above, we are committed to safeguarding your personal information. Whenever you provide such personal information, we are legally obliged to use your information in line with all laws concerning the protection of personal information, including the data protection laws.

PassivLiving™ may from time to time contain links to websites owned and operated by third parties. These third party websites have their own privacy policies, including cookies, and we urge you to review them. They will govern the use of personal information that you submit or is collected by cookies whilst visiting these websites. We do not accept any responsibility or liability for the privacy practices of such third party websites and your use of such websites is at your own risk.

2. What information will we collect about you?

Use Data: We collect data either via an in-home hub (the PassivHub), which is connected to your router and uses a broadband connection, or via a GSM meter/SIM data packet. This data is used by us to monitor and manage the systems (for example heating/hot water/Solar PV) within the home and is stored on our systems and those of any subcontracted parties. This may include your occupancy schedule, the times you use energy, how you use your household appliances, your lighting and heating, the energy efficiency of your home and the amount of energy generated from Solar PV installations.

If you open an account with us, this data is also analysed and presented back to you on PassivLiving™, our online secure monitoring portal. In addition, if your PassivSystems’ product is provided to you by a third party service provider, the data is analysed and presented to this third party through PassivLiving™ in the form of a monitoring dashboard. This “use” data is kept strictly private and confidential by PassivSystems, and held and processed in accordance with the data protection laws.

Personal Information: When you sign up to participate in or receive a service from PassivSystems or register with PassivLiving™ we may ask for personal information about you. This can consist of information such as your name, e-mail address, postal address, telephone or mobile number. Different webpages may ask for different personal information. By entering your details in the fields requested, you enable us and our service providers to provide you with the services you select.

- Information that you provide – When you sign up for a PassivLiving™ Account we ask you for personal information. We may combine the information that you submit under your account with information from other PassivSystems’ services or third parties in order to provide you with a better experience, and to improve the quality of our services. For certain services, we may give you the opportunity to opt out of such processing of information.

- Log information – When you access PassivSystems’ services via a browser, application or other client, our servers automatically record certain information. These server logs may include information such as your web request, your interaction with a service, Internet Protocol Address (IP Address - a number that can uniquely identify a specific computer or other network device on the internet), browser type, browser language, the date and time of your request and one or more cookies (see section 13a) that may uniquely identify your browser or your account.
- Affiliated Services – We offer some of our services in connection with other, 3rd party web sites. Personal information that you provide to those sites may be sent to PassivSystems in order to deliver the service. We process such information under this Privacy Policy.
- Third-Party Applications – PassivSystems may make available third-party applications, such as gadgets or extensions, through its services, that we have analysed and approved for use with PassivSystems’ services. The information collected by PassivSystems when you enable a third-party application is processed under this Privacy Policy. If information is separately collected by the third-party application providers, you will be notified accordingly, and this is governed by their privacy policies.
- Location data – PassivSystems’ services relate to your home, and as such if you use those services, PassivSystems will receive information about your actual location i.e. post code so that we may obtain local weather information.
- Unique application number – Certain services include a unique application number that is not associated with your account or with you. This number and information about your installation (e.g. operating system type, version number) may be sent to PassivSystems when you install or uninstall that service or when that service periodically contacts our servers (for example, to request automatic updates to the software).
- Other sites – This Privacy Policy applies to PassivSystems’ services only. We do not exercise control over the sites displayed as search results, sites that include PassivSystems applications, products or services, or links from within our various services. These other sites may place their own cookies or other files on your computer, collect data or solicit personal information from you.

Sensitive Personal Data: Please note that sometimes on particular webpages we will require you to provide additional personal information, which may include sensitive personal information. When we do this we will specify further on those webpages why we are collecting your information and how we will use it.

Cookies: We also use cookies and collect IP addresses. We use analysis software to look at IP addresses and cookies for the purpose of enhancing your user experience. This information is not used to develop a personal profile of you.

IP Address: We use the IP address of systems connecting to our system to assist with prevention of data security breaches. We may also use your IP address to determine where you are and adapt the service for you to access the services from the UK or otherwise.

3. How will we use the information we collect about you?

We will use your personal information for a number of purposes including the following:

- To analyse your household’s energy use, to monitor elected systems for underperformance that could lead to a triggering of a service call, advise you how you might use your household appliances, heating and lighting more efficiently, and changes you may need to make to your home to reduce your energy consumption
- For service administration purposes, which means that we may contact you for reasons related to the service you have signed up for (e.g. to provide you with password reminders, or to notify you that a particular service has been suspended for maintenance);
- To personalise the way our content is presented to you;
- IP addresses are used to identify the location of users, the number of visits from different countries and also to block disruptive use; and
- To analyse and improve our products and services and the service offered on PassivLiving™, e.g. to provide you with the most user-friendly experience.

Where we propose using your personal information for any other uses we will ensure that we notify you first. You will also be given the opportunity to withhold or withdraw your consent for your use other than as listed above. PassivSystems processes personal information on our servers in the United Kingdom.

4. When will we contact you?

We may contact you:

- In relation to the functioning of any service you have signed up for in order to ensure that we can deliver the services to you;
- Where you have opted to receive further correspondence;

- In relation to any contribution you have made to PassivLiving™, or any information provided to you, PassivSystems or a third party you have contracted with through a PassivSystems product
- To invite you to participate in surveys about our services; and
- For marketing purposes where you have specifically agreed to this (see paragraph 5)

Local pages will give you detailed information about how we will contact you in relation to specific services.

5. Will I be contacted for marketing purposes?

We may contact you (by phone, mail or email), for marketing purposes or to promote new services to you. By providing your details to PassivSystems you are consenting to the receipt of such communications. If you wish to stop such communications, please contact PassivSystems at the address given at the end of this document.

6. Will we share your personal information with anyone else?

In order to use the PassivSystems products and services you have purchased you will have provided the reseller or supplier who supplied that product to you with your consent to provide PassivSystems with your personal information. We only share this personal information with other companies or individuals outside PassivSystems if we have your consent. We require opt-in consent for the sharing of any sensitive personal information. Otherwise we will keep your information confidential except where disclosure is required or permitted by law (for example to government bodies and law enforcement agencies).

Generally, we will only use your information within our company. However, sometimes we use third parties to analyse and process your information. We will require these third parties to comply strictly with our instructions and we will require that they do not use your personal information for their own business purposes.

We may share 'anonymised' information (such as statistical data which does not refer to any individual specifically), with other parties for example for the purposes of product enhancement.

7. Offensive or inappropriate behaviour

If you post or send offensive, inappropriate or objectionable content anywhere on or to PassivLiving™, or otherwise engage in any disruptive behaviour on PassivLiving™, we may use your personal information to stop such behaviour. Where we reasonably believe that you are or may be in breach of any of the laws of England or Wales, we may use your personal information to inform relevant third parties such as your employer, school, e-mail/Internet provider or law enforcement agencies about the content and your behaviour.

8. What if I am a user aged 16 or under?

If you are aged 16 or under, please get your parent/guardian's permission beforehand whenever you provide personal information to our website. Users without this consent are not allowed to provide us with personal information.

9. How long will we keep your personal information?

We will hold your personal information on our systems for as long as is necessary for the relevant service, or as long as is set out in any relevant contract you hold with us or our corporate retention schedule (this is a database that defines which documents should be kept and for how long). In the case that you wish to cancel your registration as a PassivLiving™ subscriber, once an account is deleted a flag goes on the database and, while people cannot use the personal information, it stays on the system for a period of one year for administration purposes before being deleted.

Where Personal Data relating to your household is sent to PassivLiving™ we will generally only keep your content for as long as is reasonably required for the purpose(s) for which it was submitted. Some projects may have a longer, or even permanent, duration such as collating statistical data about product and energy use.

To keep your system working we monitor local weather along with the heating system of your home and its performance. This data will allow us to also notify you if we spot a fault with your system, and if we do, we will endeavour to contact you. If you don't wish to continue this system functionality after your service agreement with PassivSystems ends, please contact us and let us know.

10. Can I find out what personal information you hold about me?

Under the Data Protection Act you have the right to request a copy of the personal information we hold about you and to have any inaccuracies corrected. We charge £10 for information requests and will require you to prove your identity with 2 pieces of approved photographic identification. We will use reasonable efforts to supply, correct or

delete personal information about you on our files.

Please address requests and questions about Personal Data or any other question about this Privacy Policy in writing to the Data Protection Officer, PassivSystems Limited, Medway House, Newbury Business Park, Berkshire, RG14 2PZ.

11. What if I am accessing the website outside the UK?

www.passivsystems.com and www.passivliving.com are published in the UK by PassivSystems Limited.

This privacy policy is governed by and construed in accordance with English law. The Courts of England shall have exclusive jurisdiction over any disputes arising out of these Terms. If you live outside the United Kingdom, English law shall apply only to the extent that English law shall not deprive you of any legal protection in accordance with the law of the place where you are habitually resident ("Local Law"). In the event English law deprives you of any legal protection which is accorded to you under Local Law, then these terms shall be governed by Local Law and any dispute or claim arising out of or in connection with these Terms shall be subject to the non-exclusive jurisdiction of the courts where you are habitually resident.

12. Changes to our Privacy Policy

This privacy policy may be updated from time to time so you may wish to check it each time you submit personal information to any PassivSystems website. The date of the most recent revision appears on www.passivsystems.com.

13. Cookies Policy - Information we collect from you

a. What is a cookie? A cookie is a small amount of data, which often includes a unique identifier that is sent to your computer or mobile phone (referred to here as a "device") browser from a website's computer and is stored on your device's hard drive. Cookies record information about your online preferences and allow us to tailor the websites to your interests. By law, users must be informed about cookie use and cookies cannot be stored on a user's hard drive without consent. Users can give one off consent to receive cookies from a particular web site and this consent will operate until it is withdrawn by the user. If a user declines to receive cookies certain personalised services cannot then be provided to that user and accordingly you if you decline to accept cookies from a PassivSystems website you may not be able to take full advantage of all of the passivsystems.com features. Each website can send its own cookie to your browser if your browser's preferences allow it, but (to protect your privacy) your browser only permits a website to access the cookies it has already sent to you, not the cookies sent to you by other sites. Many sites do this whenever a user visits their website in order to track online traffic flows.

During the course of any visit to passivsystems.com (provided you agree to accept cookies) the pages you see, along with a cookie, are downloaded to your device. Many websites do this, because cookies enable website publishers to do useful things like find out whether the device (and probably its user) has visited the website before. This is done on a repeat visit by checking to see, and finding, the cookie left there on the last visit.

b. How do we use cookies? Information supplied by cookies can help us to analyse the parts of our website(s) that our visitors use and help us to provide you with a better user experience. For example: if on a previous visit you went to our help pages, we might find this out from your cookie and highlight educational information on your second and subsequent visits.

We also use a number of independent measurement and research companies. They gather information regarding the visitors to our sites on our behalf using cookies, log file data and code which is embedded on our website. We use this type of information to help improve the services we provide to our users. We strictly require that third parties do not use any information for their own business or other purposes. Certain other areas of passivsystems.com may use cookies for a specific reason such as to retain some of your details for future visits. If this is the case, the local terms for that area of the website will make this clear and you should refer to those local terms for additional information.

14. Contacting us about this Privacy Policy

If you have any questions or comments about this Privacy Policy please write to;

Data Protection Officer, PassivSystems Limited, Medway House, Newbury Business Park, Berkshire RG14 2PZ