



SEAI Procurement Process - Privacy Notice

May 2020 Edition

Privacy Notice

1. General statement - We respect your privacy

The Sustainable Energy Authority of Ireland (“SEAI”) fully respects your right to privacy. This Privacy Notice (“Notice”) is intended to help you understand what Personal Data SEAI collects about you, why we collect it, what we do with it, who we may share it with and how we protect it. When we talk about “Personal Data” in this Notice, we mean any information relating to you, either directly or indirectly.

This Notice also details the rights available to you in relation to how we hold and use your Personal Data, how to exercise those rights, and what to do if you require more information or wish to make a complaint.

2. Who is responsible for your information

SEAI is responsible for your information.

This Notice applies to SEAI, a public authority established under the Sustainable Energy Act 2002, located at 3 Park Place, Hatch Street Upper, Dublin, D02 FX65

The use of “we”, “us”, “our” and “ours” in this Notice refer to SEAI. For more information about us, please see our About webpage <https://www.seai.ie/about/>.

If you want to get in touch and seek to exercise your rights as described below, please contact us at dataprotection@seai.ie.

3. Who this Notice Applies To

In operating our Procurement process we collect and process information which relates to a various individuals. These include individuals who may not have a direct relationship with SEAI. We have described below the main types of individuals whose information we collect, use and otherwise process in connection with the Programme.

- Individuals making a submission as part of a procurement process.
- Individuals identified as a point of contact within submission being made as part of a procurement process.
- Individuals put forward as persons appropriate to provide a service as set out within a submission being made as part of a procurement process.
- Individuals identified for reference purposes

4. Who We Receive Information From

We receive your information from the individual or organisation making a submission as part of a procurement process.

We may receive additional information from individuals or organisations providing references or other information as part of the procurement process.

5. Information We Collect and how We Use It

In the course of administering the Programme, we collect or receive information in different ways and relating to various groups of individuals (described in section 3 above). We use this information for a number of purposes, including those described further below.

The types of Personal Data that we collect and process include, contact details (e.g. email, phone number etc) of one or more persons for the purposes of the competition, company insurance details, company financial statements, examples of previous work, CVs, tax details or other information needed to run the competition.

We use this Personal Data to:

- perform our functions as a public authority and, in particular, for running a procurement competition;
- process submissions, communicate with participants, evaluate submissions and award contracts;
- provide customer service to you and contact you if required to respond to any communications you might send to us;
- comply with our legal obligations;
- protect or enforce our rights or the rights of any third party;
- establish, exercise or defend legal claims;
- respond to requests and providing information;
- allow internal and external review of our processes;
- detect and prevent fraud and other crime.

6. Information You Give Us About Other People

If you provide information to us about any person other than yourself, you should ensure that you have a legal basis for doing so and that you have complied with your transparency obligations under data protection law.

7. Our Legal Bases

In order to collect, use, share, and otherwise process your information for the purposes described in this Notice, we rely on a number of legal bases, some of which are mentioned above, including where:

- necessary for the performance of tasks that we carry out in the public interest or in the exercise of official authority vested in us by law;
- necessary for the performance of a contract with you;
- necessary in order to take steps prior to entering into a contract with you; or
- necessary for compliance with a legal obligation that applies to us.

8. Sharing Your Information

In the course of administering the Programme, we share information with various third parties, as set out below. We do this based upon the legal bases and exceptions mentioned in section 7 of this Notice.

- **Service Providers:** We may share your Personal Data to help us administer the Programme and communicate with you. Categories of service providers include companies who provide inspection services, outsourced business process providers, IT software and hosting providers and records-storage companies. Where such third parties are processors, these third parties are contractually required to use it only to provide their service to us and are contractually barred from using it for their own purposes.
- **Experts, advisors, lawyers and others connected to the administration of the Programme:** We share your information with a variety of third parties so we can administer the Programme. This may include sharing your information with advisers, solicitors and law firms, and other experts.
- **Legal and safety reasons:** We may retain, preserve, or share your information if we have a good-faith belief that it is reasonably necessary to (a) respond, based on applicable law, to a legal request (e.g., a subpoena, search warrant, court order, or other request from government or law enforcement agency); (b) detect, investigate, prevent, and address fraud and other illegal activity, security, or technical issues; (c) protect our rights, property, or safety; (d) enforce the Grant Agreement or any other contracts we have with you or a third party which relates to you; (e) prevent physical injury or other harm to any person or entity, including you and members of the public.

9. Retention

We may retain your information for as long as necessary in light of the purposes set out in this Notice, including for the purposes of satisfying any legal, accounting, or reporting requirements and, where required for SEAI to assert or defend against legal claims, until the end of the relevant retention period or until the claims in question have been settled.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your Personal Data, the purposes for which we process your Personal Data and whether we can achieve those purposes through other means, and the applicable legal requirements. We also consider regulatory guidance, as appropriate.

10. Your Rights

You have a number of rights in relation to your information that we process. To exercise these rights, please contact us at dataprotection@seai.ie.

While some of these rights apply generally, certain rights apply only in specific circumstances. We describe these rights below.

- **Access:** You have the right to request access to your information that we control.
- **Data Portability:** You have the right to request that some of your personal information that you initially provided to us is returned to you or another controller in a commonly used machine readable format.
- **Rectify, Restrict and Delete:** You have the right to ask us to restrict the processing of your information or to rectify or delete your information. Please note that despite a deletion request, we may continue to process your information if we have a legal basis to do so.
- **Object:** If we process your information in the public interest, you can object in certain circumstances. In such cases, where legally required to do so, we will cease processing your information unless we have compelling legitimate grounds to continue processing

or where it is needed for legal reasons.

- **Complain:** You have the right to submit a complaint about our use of your information with your local supervisory authority or SEAI's supervisory authority, the [Irish Data Protection Commission](#).

These rights are subject to a number of exceptions under law.

11. Amending The Notice

From time to time, we may amend this Notice. This might happen, for example, where we make changes to the Programme. If we make material changes to the Notice, we will take steps to notify you, such as by posting a notice on our website. The Notice was last updated at the date indicated further below.

12. Contact Us

If you want to exercise your rights (described above), or if you have any questions about this Notice, please contact us as follows:

Data Protection Officer
Sustainable Energy Authority of Ireland
3 Park Place
Hatch Street Upper
Dublin 2
D02 FX65

Tel: +353-1-8082100

Email: dataprotection@seai.ie

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