

BHIVE Dynamic Purchasing System

Privacy Policy

March 2023



Department for
Business, Energy
& Industrial Strategy

This privacy policy sets out how Triple Point Heat Networks Investment Management (“TP Heat Networks”, “we” and/or “us”) collect, use and protect any information that you submit as part of your participation on the BHIVE Dynamic Purchasing System (DPS).

This privacy policy does not form part of any contract.

For the avoidance of doubt, and for the purposes of BHIVE, TP Heat Networks Investment Management includes the following organisations, who are joint data controllers and will have full access to all data that you submit to BHIVE, for the purposes set out in this privacy policy:

- Department for Business, Energy & Industrial Strategy (BEIS) *located at 1 Victoria Street, London SW1A 0ET*
- Triple Point Investment Management LLP – *company number OC321250 located at 1 King William Street, London, EC4N 7AF*
- Amberside Advisors Ltd – *company number 6078852 located at Clubfinance House, 64-66 Queensway, Hemel Hempstead, Hertfordshire, England, HP2 5HA*
- Gemserv Ltd – *company number 4419878 located at 8 Fenchurch Place, London EC3M 4AJ*

We are committed to ensuring that your personal data is protected and will make sure to use it only in accordance with this privacy policy.

We keep this privacy policy under regular review to make sure it is up to date and accurate. We may change it at any time and will inform you if any substantial changes take place.

This policy is effective from 4 December 2020.

1. What data do we collect

The data to be collected will include different types of data that is defined as personal data under the General Data Protection Regulation and Data Protection Act 2018 (together “Data Protection Legislation”). It does not include aggregated data where your identity details have been removed and the data cannot be attributed to you any longer.

We may collect the following personal information from you either from your application to participate on BHIVE or from your activity on BHIVE:

- Your name;
- Email address;
- Telephone number;
- Company name;
- Company address.

We will neither collect, nor process any special categories of personal data.

2. How do we use your data

Data collected via ProContract, the Proactis dynamic purchasing platform used for BHIVE, is processed in accordance with the ProContract Schedule of Processing, Personal Data and Data, detailed below:

The nature of the processing within ProContract includes collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, restriction, erasure or destruction of data (whether or not by automated means).

The purpose for the processing is to carry out the functions of tendering process, from the initial advertisement to the awarding of the contract.

Data access is restricted to those registered users of the software and Proactis staff, in respect to the development and support of such software, for the purposes of maintaining / correcting errors within the product that the Triple Point reports.

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for a new purpose, we will notify you and we will explain the legal grounds which allows us to do so.

We will only use your personal data when the law allows us to. We need all the categories of information in the list above (see Section 1) primarily to allow us:

- to perform a task carried out in the public interest or in the exercise of the official authority given to us, in particular, when we process your applications and follow up on them;
- to comply with a legal obligation, when, for example, we need to retain your data for a certain time; and
- to pursue our legitimate interests provided your fundamental rights do not override our interests when, for example, we respond to your queries or invite to events; and
- for research purposes and/or for statistical archiving in the public interest.

We will not use your personal data in any automated decision making (making a decision solely by automated means without any human involvement) or profiling (automated processing of personal data to evaluate certain conditions about an individual).

3. When will we share your data

We will share your personal information with third-party service providers, where they are contracted by us to provide specific services in order to facilitate delivery of our services for the purposes set out in Section 2.

We will allow the following third parties to process your personal data:

- Back office service providers for data storage services;
- Email management provider for assisting with email queries;

We require our third-party service providers to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

We will not transfer the personal information we collect about you to the service providers located outside the EU and EEA, unless they ensure that your personal information receives an adequate level of protection. We will take steps to ensure your privacy rights are protected and your personal information is treated in a way that is consistent with and which respects Data Protection Legislation, by putting in place appropriate measures, including requiring appropriate security measures.

We may also need to share your personal information with:

- Public authorities (e.g. the police) or to otherwise comply with the law, for example, when we need to publish or disclose the data under the Freedom of Information Act 2000 or Environmental Information Regulations 2004.

4. Security

We are committed to ensuring that your information is secure. In order to prevent your personal data being accidentally lost, used or accessed in an unauthorised way, altered or disclosed, we have put in place suitable physical, electronic and managerial procedures to safeguard and secure the information we collect.

5. How long do we retain your personal information

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal or reporting requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

6. Controlling your personal information

It is important that the personal information we hold about you is accurate and current. If you believe that any information we are holding on you is incorrect or incomplete, please write to TP Heat Networks Investment Management, care of Gemserv Ltd, 8 Fenchurch Place, London, EC3M 4AJ or email to enquiries@tp-heatnetworks.org as soon as possible.

In accordance to the Data Protection Legislation, under certain circumstances, you have the following rights:

- **Request access to your personal information.** This enables you to find out whether we process any of your personal data and to receive a copy it.
- **Request correction or completion of the personal information that we hold about you.**
- **Request erasure of your personal information.** This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing of your personal information** where we are relying on a legitimate interest and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object if you wish to opt-out from our mailing list.
- **Request the restriction of processing of your personal information.** This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer of your personal information to another party.**

You will not have to pay a fee to exercise any of your rights. However, we may charge a reasonable fee if your request is clearly unfounded or excessive or we may refuse to comply with the request.

We may also refuse to comply with your request to access personal data if the information you ask us to provide relates to our business management forecasting or planning and the disclosure of such information would likely affect our business, or where the information consists of records of our intentions in relation to any negotiations with you and such disclosure would be likely to prejudice those negotiations, or the requested information consists of a reference given (or to be given) regarding your prospective or current education, training, employment, appointment to any office or your provision of any service. If we refuse your access to personal data, we will explain the reasons in our response to you.

If you have any questions about how we handle your personal information, please contact the Data Protection Officer (DPO) at:

BEIS Data Protection Officer
Department for Business, Energy and Industrial Strategy
1 Victoria Street
London
SW1H 0ET
Email: dataprotection@beis.gov.uk

If you consider that your personal data has been misused or mishandled, you may make a complaint to the Information Commissioner, who is an independent regulator. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Phone number: 0303 123 1113 or 01625 545 745
Email: casework@ico.org.uk

Any complaint to the Information Commissioner is without prejudice to your right to seek redress through the courts.