

## Sustainability Solutions Privacy Policy

### 1. Interpretation

1.1. The following definitions and rules of interpretation apply in this Agreement.

- (a) **Aggregated Data:** data that have been combined or collected together in summary or other form such that no individual can be identified from the data.
- (b) **Charging Infrastructure Recommendation:** is the charging infrastructure recommendation for a business presented as an overview of the entire business, including individual business locations, home charging requirements, and the recommended power. This is derived from all site, vehicle and employee data collected throughout the process.
- (c) **Controller, Processor, Data Subject, Personal Data, Processing:** have the meanings given to them in the Data Protection Legislation.
- (d) **Data Protection Legislation:** To the extent the law of the United Kingdom applies, all legislation which relates to the protection of Personal Data, including without limitation the UK GDPR, the Data Protection Act 2018 (**DPA 2018**) and the Privacy and Electronic Communications Regulations 2003 (SI2003/2426) as amended; and to the extent the law of the European Union or that of any member state of the European Union applies, all legislation which relates to the protection of Personal Data, including without limitation the EU GDPR.
- (e) **Diode:** Diode Group Limited (“**we**”, “**us**”, or “**our**”).
- (f) **Sustainability Solutions:** Diode's proprietary software platform which generates Actionable Insights derived from existing, calculated or user entered data parameters, relating to a business's adoption of Net Zero Technology solutions, including but not limited to electric vehicles, electric vehicle charging and commercial solar, as updated by Diode from time to time.
- (g) **EU GDPR:** the General Data Protection Legislation ((EU) 2016/679)
- (h) **Driver Survey:** an assessment carried out using Sustainability Solutions, resulting in the production of an EV Readiness Report or Driver Insights.
- (i) **Homecharge Assessment:** Part of Sustainability Solutions; a survey which allows you to answer several questions to identify whether an electric vehicle charger can be fitted to your home. This is a component part of the EV Readiness Assessment.
- (j) **OZEV:** Office of Zero Emission Vehicles, a team working across the UK government to support the transition to zero emission vehicles (ZEVs). They provide support for the take-up of plug in vehicles, as well as funding to support chargepoint infrastructure across the UK.
- (k) **OZEV Electric Vehicle Homecharge Scheme (EVHS):** is a grant that provides a 75% contribution to the cost of one chargepoint and its installation. A grant cap is set at £350 (including VAT) per installation. (Subject to change by OZEV).
- (l) **Partner:** Any company that is partnered with Diode.
- (m) **Supplier:** Provider of hardware and/or installation services.
- (n) **Vehicle Usage Data:** is the data entered by a user indicating how, where and when they use their current vehicle.
- (o) **Website:** sustainability-solutions.co.uk and any sub-domains of this site unless expressly excluded by their own terms and conditions.

### 2. Introduction



## 2.1. Important information and who we are

Welcome to Diode's Privacy and Data Protection Policy ("**Privacy Policy**"). At Diode we are committed to protecting and respecting your privacy and Personal Data in compliance with the United Kingdom General Data Protection Regulation (**GDPR**), the DPA 2018 and all other mandatory laws and regulations of the United Kingdom. This Privacy Policy explains how we collect, process and keep your data safe. The Privacy Policy will tell you about your privacy rights, how the law protects you, and inform our employees and staff members of all their obligations and protocols when processing data.

The individuals from which we may gather and use data can include:

- Customers
- Suppliers
- Partners
- Business contacts
- Employees/Staff Members
- Third parties connected to your customers

and any other people that the organisation has a relationship with or may need to contact.

## 2.2. Who is Your Data Controller

Diode is your Data Controller and responsible for your Personal Data. We have an appointed Data Protection Officer (**DPO**) which ensures we adhere to all data protection requirements. Any inquiries about your data should either be sent to us on email at [info@diode.energy](mailto:info@diode.energy) or sent in a letter to

Brackenfield Holton Road, Nettleton, Market Rasen, LN7 6AW, United Kingdom.

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

## 2.3. Parties that process your Personal Data on behalf of us and their responsibility to you

In discharging our responsibilities as a Controller we have Suppliers and Partners who may process your data on our behalf known as Processors. We and our Processors have the following responsibilities:

- Ensure that all processing of Personal Data is governed by one of the legal bases laid out in the GDPR (see 2.2 below for more information on those bases);
- Ensure that Processors authorised to process Personal Data have committed themselves to confidentiality or are under an appropriate statutory obligation of confidentiality;
- Implement appropriate technical and organisational measures to ensure a level of security appropriate to the risk associated with the processing of Personal Data, for example:
  - Access to your account is controlled by a password and username that is unique to you.
  - Your Personal Data is stored on secure servers;
- Obtain the prior specific or general authorisation of the Controller before engaging another Processor;
- Assist the Controller in the fulfilment of the Controller's obligation to respond to requests for exercising the data subject's rights;
- Make available to the Controller all information necessary to demonstrate compliance with the obligations laid down in the GDPR and allow for and contribute to audits, including inspections, conducted by the Controller or another auditor mandated by the Controller;
- Maintain a record of all categories of processing activities carried out on behalf of a Controller;

- Cooperate, on request, with the supervisory authority in the performance of its tasks;
- Ensure that any person acting under the authority of the Processor who has access to Personal Data does not process Personal Data except on instructions from the Controller; and
- Notify the Controller without undue delay after becoming aware of a Personal Data Breach;

### 3. Legal basis for data collection

#### 3.1. Types of Data / Privacy Policy Scope

We may collect, use, store and transfer different kinds of Personal Data about you which we have grouped together below. Not all of the following types of data will necessarily be collected from you but this is the full scope of data that we collect and when we collect it from you:

- **Profile/Identity Data:** This is data relating to your first name, last name, gender, date of birth.
- **Contact Data:** This is data relating to your phone number, addresses, email addresses, phone numbers.
- **Marketing and Communications Data:** This is your preferences in receiving marketing information and other information from us.
- **Home Data:** This is data relating to your home, including photographic uploads.
- **Vehicle Data:** This is data relating to your vehicle and your vehicle usage including journeys made.
- **Billing Data:** This is information relating to your debit and credit card information such as the name attached to your payment details and your billing address.
- **Transactional Data:** This is information of details and records of all payments you have made for our services or products.
- **Technical Data:** This is your IP address, browser type and version, time zone setting and location, operating system and platform, and other technology on the devices you use to engage with us.
- **Customer Support Data:** This includes feedback email, chat and survey responses.
- **Usage Data:** information about how you use our Website, products and services.

We also collect, use and share Aggregated Data such as a company's Charging Infrastructure Recommendation, EV readiness statistics, predicted energy usage and access to charging.

If we combine or connect Aggregated Data with your Personal Data so that it can directly or indirectly identify you, we treat the combined data as Personal Data which will be used in accordance with this Privacy Policy.

We may also use Aggregate Data to enable research or analysis so that we can better understand and serve you and others. For example, we may conduct research on your demographics and usage. Although this Aggregated Data may be based in part on Personal Data, it does not identify you personally. We may share this type of anonymous data with others, including Suppliers and current and prospective Partners.

We do not collect any Special Categories of Personal Data about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health, and genetic and biometric data). Nor do we collect any information about criminal convictions and offences.

#### 3.2. The Legal Basis for Collecting That Data

Under Data Protection Legislation, we can only use your Personal data if we have a lawful basis to do so. We use your information in the following circumstances:

- Where we process personal information about you in order to fulfil any order you place with us or otherwise to perform our contract with you;

- For any purpose that you have consented to, where we have asked for your consent in the box that pops up when you first visit our Site and/or as part of the ordering process;
- Where we are required to do so to comply with our legal and regulatory obligations, including sharing information with regulators and detecting and reporting financial crime and fraud; and
- Where we have a legitimate interest in processing your personal information, provided your interests and fundamental rights do not override our legitimate interest. This includes where we may wish to contact you about products or services, market to you, or collaborate with others to improve our services.

#### 4. How we use your personal data

##### 4.1. Our Uses

We will only use your Personal Data when the law allows us to. Set out below is a table containing the different types of Personal Data we collect and the lawful basis for processing it.

Please refer to section 2.2 for more information on the lawful basis listed in the table below.

Examples provided in the table below are indicative in nature and the purposes for which we use your Personal Data may be broader than described but we will never process your Personal Data without a legal basis for doing so and it is for a related purpose. For further inquiries please contact us.

Activity	Type of data	Legal Justification	Lawful basis for processing data
When a Partner introduces the business or individual via Sustainability Solutions	Contact Data	Consent Legitimate Interests Contract	To enable the user to start the process and for Diode to send email notifications
When you contact us through the Website, by telephone, post, e-mail or through any other means	Contact Data	Consent Legitimate Interests	To enable us to contact the user about the services offered by us, our Partners or Suppliers.
When you register with us and set up an account to receive our products/services	Contact Data	Consent Legitimate Interests Contract	To enable the user to start the process and for Diode to send notifications via email, phone, or SMS
When you register with us and set up an account to receive our products/services	Profile/Identity Data	Consent Legitimate Interests Contract	To enable the user to start the process and for Diode to send notifications via email, phone, or SMS
When a user enters an email address	Contact Data	Consent Legitimate Interests Contract	To onboard users to the software platform and share with required Partners and Suppliers.

When a user enters address information	Profile/Identity Data	Consent Legitimate Interests Contract	To carry out the necessary calculations and create recommendations in the software platform and share with required Partners and Suppliers.
When you make payments to us, through this Website or Sustainability Solutions	Transactional Data	Consent Contract	To record payment for services.
When a user joins our mailing list	Contact Data	Consent Legitimate Interest	To enable us to contact the user about the services offered by us or our Partners and Suppliers.
When you elect to receive marketing communications from us	Marketing and Communications Data	Consent Legitimate Interest	To enable us to contact the user about the services offered by us or our partners
When a user fills out the Driver Survey including entering a vehicle registration and Vehicle Usage Data	Vehicle identification data Location data	Consent Legitimate Interests Contract	To carry out the necessary calculations and create recommendations in the software platform
When a user fills out the Homecharge Assessment	Profile/Identity Data Contact Data	Consent Contract	To allow Suppliers to provide service.
When a user orders a home charger	Profile/Identity Data Contact Data	Consent Contract	To allow Suppliers to provide service
When a user completes the Driver Survey and Homecharge Assessment	Profile/Identity Data Contact Data	Consent Contract	To allow Partners who may wish to contact an employee or consumer with relevant offers on products and/or services they might be interested in

#### 4.2. Marketing and Content Updates

You will receive marketing and new content communications from us if you have created an account and chosen to



opt into receiving those communications. From time to time we may make suggestions and recommendations to you about goods or services that may be of interest to you.

### **4.3. Change of Purpose**

We will only use your Personal Data 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 you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your Personal Data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your Personal Data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## **5. Your rights and how you are protected by us**

### **5.1. What Control Do I Have Over Diode's Use of My Personal Data?**

These are the rights that data subjects must be made aware of pursuant to the UK GDPR. These rights include:

- the right to obtain information regarding the processing of your personal data and access to the personal data which we hold about you;
- the right to withdraw your consent to our processing of your personal data at any time. Please note, however, that we may still be entitled to process your personal data if we have another legitimate reason (other than consent) for doing so;
- in some circumstances, the right to receive some personal data in a structured, commonly used and machine-readable format and/or request that we transmit that data to a third party where this is technically feasible. Please note that this right only applies to personal data which you have provided to us;
- the right to request that we rectify your personal data if it is inaccurate or incomplete;
- the right to request that we erase your personal data in certain circumstances. Please note that there may be circumstances where you ask us to erase your personal data, but we are legally entitled to retain it;
  - the right to object to, and the right to request that we restrict, our processing of your personal data in certain circumstances. Again, there may be circumstances where you object to, or ask us to restrict, our processing of your personal data but we are legally entitled to continue processing your personal data and / or to refuse that request; and
- the right to lodge a complaint with the data protection regulator (details of which are provided below) if you think that any of your rights have been infringed by us.

You can exercise your rights by contacting us using the details set out in the "Contacting us" section below.

You can find out more information about your rights by contacting the Information Commissioner's Office, or by searching their website at <https://ico.org.uk/>.



You may delete your account at any time – this will remove your account page from our systems and our related software.

Your account information will be protected by a password for your privacy and security. You need to prevent unauthorised access to your account and personal information by selecting and protecting your password appropriately and limiting access to your computer or device and by signing off after you have finished accessing your account.

You can access information associated with your account by logging into your account you created with us.

## **5.2. How Does Diode Protect Customers' Personal Data?**

We are concerned with keeping your data secure and protecting it from inappropriate disclosure. Any Personal Data collected by us is only accessible by a limited number of employees who have special access rights to such systems and are bound by obligations of confidentiality. If and when we use Suppliers to store your data, we will not relinquish control of your Personal Data or expose it to security risks that would not have arisen had the Personal Data remained in our possession.

## **5.3. Opting Out Of Marketing Promotions**

You can ask us to stop sending you marketing messages at any time by clicking the unsubscribe link on any email, or emailing us at [info@diode.energy](mailto:info@diode.energy).

Where you opt out of receiving these marketing messages, we will continue to retain other Personal Data provided to us as a result of interactions with us not related to your marketing preferences.

## **5.4. How to Request your Data and the Process for Obtaining it**

You will not have to pay a fee to access your Personal Data (or to exercise any of the other rights). However, if your request is manifestly unfounded or excessive, we could refuse to comply with your request.

We may need to request specific information from you to help us confirm your identity and ensure you have the right to access your Personal Data (or to exercise any of your other rights). This is a security measure to ensure that Personal Data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

## **6. Your data and third parties**

### **6.1. Will We Share Your Data With Third Parties?**

We may share your Personal Data:

- a. With Suppliers who need to know such information and data to carry out relevant services; and
- b. to Partners who may wish to contact an employee or consumer with relevant offers on products and/or services they might be interested in;

Data and information will only be shared when necessary and with your consent and is subject to confidentiality obligations to use it only for the purposes for which we disclose it to them and pursuant to our instructions.

We may also share Personal Data with interested parties in the event that Diode anticipates a change in control or the acquisition of all or part of our business or assets or with interested parties in connection with the licensing of our technology.



If Diode is sold or makes a sale or transfer, we may, in our sole discretion, transfer, sell or assign your Personal Data to a third party as part of or in connection with that transaction. Upon such transfer, the Privacy Policy of the acquiring entity may govern the further use of your Personal Data. In all other situations your data will still remain protected in accordance with this Privacy Policy (as amended from time to time).

We may share your Personal Data at any time if required for legal reasons or in order to enforce our terms or this Privacy Policy.

If Partners or Suppliers process any personal data in the course of carrying out its duties under this Agreement, it will do so as a Controller and you will need to read their privacy notices which they will provide to you.

## **6.2. Third-Party Links**

This Site may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our Site, we encourage you to read the privacy policy of every website you visit.

## **7. How long will we retain your data for?**

We will only retain your Personal Data for as long as reasonably necessary to fulfil the purposes we collected it for. We may retain your Personal Data for a longer period than usual in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

## **8. Age limit for our users**

You must not use this Website or Sustainability Solutions unless you are aged 16 or older. If you are under 16 and you access this Website or Sustainability Solutions by lying about your age, you must immediately stop using this Website or Sustainability Solutions.

Both this Website and Sustainability Solutions are not intended for children and we do not knowingly collect data relating to children.

## **9. International transfer of data**

Your information may be stored and processed in the US or other countries or jurisdictions outside the US where Diode has facilities. We are currently storing data in the UK and EU and so, by using Diode, you are permitting and consenting to the transfer of information, including Personal Data, outside of the US.

## **10. Notification of changes and acceptance of policy**

We keep our Privacy Policy under review and will place any updates on this webpage. We reserve the right to change this Privacy Policy as we deem necessary or as required by law. By using this Website or Sustainability Solutions, you consent to the collection and use of your Personal Data by us as set out in this Privacy Policy. Continued access or use of Sustainability Solutions will constitute your express acceptance of any modifications to this Privacy Policy.

## **11. Interpretation**

All uses of the word "including" mean "including but not limited to" and the enumerated examples are not intended to in any way limit the term which they serve to illustrate.

Any email addresses set out in this policy may be used solely for the purpose for which they are stated to be provided, and any unrelated correspondence will be ignored.

