

2019 EDF ENERGY INNOVATION CHALLENGE – L MARKS PRIVACY NOTICE

This is the privacy notice for “2019 EDF Energy Innovation Challenge” (the **Programme**).

The Programme is organised by L Marks Limited (**we, us or our**).

We are committed to respecting the privacy of applicants to the Programme. The following statement explains how we may use the personal information we collect from you in connection with the application process.

We are registered in England and Wales with company number 7756651. Our registered office address is 20 Broad Lane, Hale, Altrincham, Cheshire, WA15 0DF.

APPLICABILITY OF THIS NOTICE

- 1.1 This notice applies to any person submitting an application to participate in the Programme. This notice does not apply to participation in the Programme itself, which is governed by separate terms which will be notified to you if you are invited to participate.
- 1.2 Where you submit an application, this privacy notice applies in addition to our application terms. The submission of an application is conditional upon you agreeing to the terms of this privacy notice.
- 1.3 Applications are made through our application portal, The Bridge. The Bridge has its own [privacy notice](#) which you should read in addition to this notice.

2. PERSONAL INFORMATION

- 2.1 In the course of completing and submitting an application form and participating in the selection process you may provide us with personal information about you such as your name, address, date of birth, telephone numbers (including mobile number) and email address (**personal information**).
- 2.2 We are committed to protecting your privacy, and will only use your personal information in accordance with applicable data protection legislation, including the General Data Protection Regulation (as supplemented by the Data Protection Act 2018).
- 2.3 To properly complete our application form we require you to provide some basic data about yourself. This is information that we consider necessary or desirable so that we can properly consider your application. If you do not agree to us holding this information about you, please do not complete an application.
- 2.4 In completing the application form or participating in the application process you may choose to provide further information about yourself, team members or other associated people. It is entirely your decision as to whether you provide this type of information to us and you should only provide this information if you are comfortable with us storing it and using it to process your application as described in this privacy notice.
- 2.5 You are entitled by law to ask for a copy of your personal information at any time. Please contact us using the details in paragraph 10. You are entitled to ask us to correct or update your personal information at any time by contacting us at the address above.

3. PERSONAL INFORMATION RELATING TO OTHER PEOPLE

- 3.1 It is possible that during the application process, for example whilst completing the application form or participating in pitch day, you may provide us with personal information relating to other individuals, such as team members or other people involved in your business or business idea.
- 3.2 Where you do provide us with personal information relating to other people, it is essential that you:
 - 3.2.1 inform those people that you will be providing their personal information to us;

- 3.2.2 provide them with a copy of this notice so that they are aware of how their personal information may be used and their rights in respect of it; and
 - 3.2.3 obtain their written consent (for example by way of email) to you providing the information to us.
- 3.3 By submitting information relating to other people, you agree to indemnify us for any claim, fine or penalty that we may suffer (including any associated costs or expenses that we incur) as a result of your failure to comply with paragraph 3.2.

4. **USES MADE OF THE INFORMATION**

- 4.1 We (and our representatives) may use your personal information as follows:
- 4.1.1 to perform our obligations in respect of the handling of your application, including:
 - (a) registering you on our database;
 - (b) considering your application to participate in the Programme; and
 - (c) making arrangements with you to attend and participate in pitch day;
 - 4.1.2 where you have expressly consented to us doing so, including responding to any enquiry that you submit to us;
 - 4.1.3 where it is necessary for compliance with legal obligations, including for record keeping and regulatory compliance purposes; and
 - 4.1.4 where we otherwise have a legitimate interest in doing so, including:
 - (a) promoting the Programme, to increase awareness of the Programme, our products, services and brands and your business;
 - (b) updating you on relevant Programmes in addition to the one applied for, to promote awareness of those Programmes and encourage applications;
 - (c) notifying you about a change to the application process to ensure the effective administration of the application process.
- 4.2 We may also contact you regarding investment or commercial opportunities that we consider may be of interest to you. We work with a wide range of companies and investors and, where we consider that a company or investor we are working with might be interested in learning more about you and your business or business idea we may pass non-personal information (such as information about your business) onto that company or investor. We do this because it is in our (or the relevant company's or investor's) legitimate interests to pursue promising business opportunities.
- 4.3 If that company or investor is interested in learning more about you then we may request your permission to pass your personal information onto that company or investor, but will not pass your personal information on unless and until you have agreed to this.
- 4.4 If you do not want us to contact you or pass your personal information on in the way set out at paragraph 4.2 you can "opt out" by contacting us as described in paragraph 10.
- 4.5 Non-personal information that you submit may also be used for analytical or reporting purposes and anonymised reports may be published or otherwise provided to third parties.
- 4.6 Please be aware that any part of pitch day, including the pitches and the interviews, may be recorded and a copy of any recordings we make may be publicised and circulated as we consider appropriate. If you take part in any relevant events and would prefer not to be recorded please let us know and we'll ensure you are not included in any content.
- 4.7 Where our processing of your personal data is based on consent, you have the right to withdraw this consent at any time, which you may do by contacting us as described in paragraph 10. Please note however that the withdrawal of your consent will not affect any use of the data made before you withdrew your consent.

5. **DISCLOSURE OF YOUR INFORMATION**

- 5.1 We (and our representatives) may disclose your personal information to third parties:
- 5.1.1 for completing due diligence on you and your business or business idea (and, where appropriate, on your team or company);
 - 5.1.2 to help find investment and commercial opportunities for you, as described in paragraph 4.2;
 - 5.1.3 in publicity material, as described in the application terms;
 - 5.1.4 to suppliers involved in the operation of the Programme, for example the operator of the venue where pitch day is held to make arrangements regarding your attendance or a creative agency involved in publicising the Programme;
 - 5.1.5 if we are under a duty to disclose or share your personal data in order to comply with any legal obligation, or in order to enforce or apply such other terms as apply to our relationship, or to protect the rights, property, or safety of our customers, ourselves or others. This includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction;
 - 5.1.6 if we determine that such disclosure is necessary in connection with any investigation or complaint regarding your application; and
 - 5.1.7 in the event that we sell or buy any business or assets, in which case we may disclose your personal data to the prospective seller or buyer of such business or assets.
- 5.2 We are running this programme in conjunction with EDF Energy (the **Sponsor** of the Programme). We will share your personal information with the Sponsor and with other companies in the Sponsor's group for the purposes of assessing and processing your application and arranging your participation in pitch day.

6. **INCOMPLETE APPLICATIONS**

- 6.1 The Bridge offers you the opportunity to save incomplete applications prior to submission. It is important to be aware that where you save an incomplete application we can access that application and the information within it, even if you have not submitted it. It is therefore important that you do not save any information in the application form that you would not be comfortable with us seeing.
- 6.2 If your application remains unsubmitted after the closing date we may nonetheless access your application and consider admitting it to the application process even though it was not submitted. By starting an application you agree to us doing this. If we do decide that we are prepared to consider accepting your application we will let you know, and you will then be able to decide whether you want to proceed with it.

7. **RETENTION, UPDATING AND REMOVAL OF YOUR PERSONAL INFORMATION**

- 7.1 Where you provide us with personal information in the application form or during the application process we may retain this information for future use, including:
- 7.1.1 to speed up your future use of application form;
 - 7.1.2 for record keeping and compliance purposes;
 - 7.1.3 for informing you about upcoming programmes;
 - 7.1.4 for exercising our rights set out in the application terms; and/or
 - 7.1.5 to contact you about investment and commercial opportunities that may arise in future.
- 7.2 The duration for which we retain your personal information will differ depending on the type of information and the reason why it was submitted. However, in some cases personal information may be retained on a long term basis: for example, personal information that we

need to retain for legal purposes will normally be retained for at least six years in accordance with usual commercial practice and regulatory requirements.

- 7.3 You are responsible for ensuring that the personal information that we hold about you is accurate and up-to-date, and you should check it on a regular basis. Until the closing date you will be able to update information via the application form on The Bridge, so where this personal information changes you can update it yourself. Following closure of the application process, or if you are otherwise unable to do this, you can contact us using the details in paragraph 10 and, where appropriate, we will update the relevant personal information for you.
- 7.4 If you want to withdraw your application at any time please contact us. Your withdrawal will result in the deletion of some of the personal information that we hold about you, but we may still retain some personal information, for example for record keeping purposes. If you would also like to close your account on The Bridge, you should confirm this in your request.
- 7.5 You may in certain circumstances be entitled to request the erasure of personal information that we hold on you. To make a request of this nature, please contact us, providing full details of the personal information you want to be erased and the reason(s) for your request. We will consider all requests upon receipt and confirm to you whether we are able to agree to your request.
- 7.6 Please be aware that the erasure of personal information that we hold about you may affect our ability to process your application and in some cases our acceptance of an erasure request may require us to cease considering your application.

8. **ISSUES AND COMPLAINTS**

- 8.1 In the unlikely event that you have any concerns about how your personal information is being used, please contact us as described in paragraph 10. This includes situations where you want to request the rectification or erasure of your personal information, restrictions to be placed around how we use your personal information, or to object to a particular use.
- 8.2 If you make a complaint about our handling of your personal information, it will be dealt with in accordance with our complaints handling procedure.
- 8.3 In the first instance your complaint will be reviewed by one of our employees within 28 days.
- 8.4 If you are dissatisfied with the response to our initial review you may request that your complaint be escalated, in which case it will be passed to a senior person within our business who will review your complaint and the initial response and provide a further response within 28 days of your request to escalate the matter.
- 8.5 We will endeavour to provide a full response within the relevant review period. However, in some cases further investigation may be necessary (for example if we have to discuss certain aspects of your complaint with the Sponsor).
- 8.6 If we cannot provide a final response within the relevant review period then we will provide an initial response acknowledging your complaint, explaining the reason for the delay and giving an estimate as to when a full response can be provided, and will aim to provide that full response as soon as we reasonably can following the expiry of the relevant review period.
- 8.7 If we are unable to resolve your complaint after you have escalated it to a senior person as described in paragraph 8.4 you may make a complaint to the Information Commissioner's Office. Please see <https://ico.org.uk/your-data-matters/raising-concerns/> for more information.

9. **CHANGES TO THE PRIVACY NOTICE**

- 9.1 We reserve the right to alter this privacy notice at any time. We will send you a copy of the updated notice using the details you have provided to us.
- 9.2 It is important that you read any alterations promptly. Should you object to any alteration, please contact us as described in paragraph 10.

10. **CONTACTING US**

If you have a general query about this notice or the handling of your personal information, or if you have an issue regarding our use or retention of your personal information, please contact our Data Protection Officer Daniel Saunders at 72 Acton Street, Kings Cross, London, WC1X 9NB or by email at Daniel@lmarks.com.

11. **FURTHER INFORMATION**

11.1 We hope that the contents of this privacy notice address any queries that you may have about the personal information we may hold about you and how we may use it. However, if you do have any further queries, comments or requests, please contact us as described in paragraph 10 above.

11.2 Whilst this privacy notice sets out a general summary of your legal rights in respect of personal information, this is a very complex area of law. More information about your legal rights can be found on the Information Commissioner's website at <https://ico.org.uk/your-data-matters/>.