PRIVACY POLICY

ChargedUp is committed to protecting and respecting your privacy rights. This Privacy Policy, which applies whether you use our website www.chargedup.theup.co and the ChargedUp mobile application, or contact us by telephone or email, provides you with information about:

What personal data we collect;

How we use that personal data;

Disclosures of your personal data to third parties; and

The legal bases on which we rely on to process your personal data.

For the purposes of this Privacy Policy, both the website and application shall be referred to as the “Platform”.

You do not need to take any action as a result of this Privacy Policy, but you may have certain legal rights as described below.

It is important that you read this Privacy Policy together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This Privacy Policy supplements the other notices and is not intended to override them.

This Platform is not intended for children and we do not knowingly collect or solicit data relating to children.

IMPORTANT INFORMATION AND WHO WE ARE

Who we are

Innovate Energy Solutions Ltd. (referred to in this Privacy Policy as “ChargedUp”, “we”, “us” and “our”) is the “data controller” of your personal data. In simple terms, this means that we: (i) “control” your personal data, including making sure that it is kept secure; and (ii) make certain decisions on how to use and protect your personal data, but only to the extent that we have informed you about the use or are otherwise permitted by law.

How to contact us or make complaints

If you have any concerns or questions regarding our use of your personal data (including any requests to exercise your legal rights) or this Privacy Policy please contact hello@www.chargedup.theup.co.

Our full contact details are:

229 Shoreditch High Street, London E1 6PJ, United Kingdom

hello@www.chargedup.theup.co

+44 20331 86513

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/). We always appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

Changes to this privacy policy and your personal data

This Privacy Policy is regularly reviewed and was last updated on 5th February 2020. We may amend or update our Privacy Policy from time to time.

It is important that the personal data we hold about you is accurate and up-to-date. Please keep us informed if your personal data changes during your relationship with us.

2. THE PERSONAL DATA THAT WE COLLECT ABOUT YOU

The types of personal data we collect, use and store about you will depend on the product or service you have requested from us and/or the nature of your interaction with us. When using the Platform, we collect and process the following types of personal data:

a) your name, phone number, email address and credit/debit card details;

b) personal, device and business contact information (such as your email address, mobile number and IP address);

c) login and account information (including mobile number and unique user ID);;

d) location data (including the location, date and time a power bank is rented and returned and places and preferences that you submit);

e) payment or credit card information;

f) technical information (including the type of mobile device you use, a unique device identifier (for example, your device’s IMEI number, the MAC address of the device’s wireless network interface, or the mobile phone number used by the device), mobile network information, your mobile operating system, the type of mobile browser you use and time zone setting);

g) your communication and marketing preferences;

h) your interests, preferences, feedback and survey responses;

i) other personal data that you submit to us, such as information you provide to register for email alerts or correspond with us in relation to inquiries; and

j) other publicly available personal data, including any which you have shared via a public platform (such as a Twitter feed or public Facebook page).

The Platform is not intended for children and we do not knowingly collect or solicit personal data from anyone under the age of 16.

We do not collect any special category 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. HOW WE OBTAIN YOUR PERSONAL DATA

Information you provide to us

We collect information about you directly that you provide to us via the Platform in online forms and conversations and in other correspondence (including via email and telephone).

Information we get from other sources

We will automatically collect data from you accessing the services via the Platform (including if you register as a user of the Platform, subscribe to any service or upload or submit any material via the Platform). This information includes information relating to your device, as well as location information (if you have permitted us to collect such information). We use it to optimise our network, as well as keep you informed, such as with notifications to remind you to return a rental, or when your battery’s running low and you’re near a ChargedUp station.

We are also working closely with and may receive information about you from third parties (including, for example, business partners, sub-contractors in technical, payment and delivery services, advertising networks, analytics providers, search information providers, and credit reference agencies. We also collect personal data from publicly available sources.

In connection with an employment inquiry, we collect data from third parties regarding your work authorisation status, education history, employment history and professional designations, and other information about your qualifications.

We may combine personal data that you provide to us with information that we collect from, or about you, in some circumstances. This will include information collected in an online or offline context.

4. HOW WE USE YOUR PERSONAL DATA

We will use your personal data for the following purposes, and pursuant to the corresponding legal bases:

1. 1. To enter into, and perform, contracts with you that you have requested, including sending you welcome and periodic emails that provide details on how to use our service and the mobile application and regarding the administration of your account (e.g., updating payment card details); building a profile of your preferences so that we can ensure our services are provided when you need them; processing payments for the services we provide; and processing payment of fees to use the power banks.
3. a) Performance of a contract with you
5. 2. To track your pickup and drop off locations and where the nearest power banks to you are.

          a) Performance of a contract with you

          b) Necessary for our legitimate interests (to track the power banks

                that we own).

1. 3. To manage our relationship with you, including notifying you about changes to our terms or this privacy policy and asking you to leave a review or take a survey.
3. a) Performance of a contract with you
5. b) Necessary to comply with a legal obligation.
7. c) Necessary for our legitimate interests (to study how customers use and rate our products and services, to develop them and our business).
8. 4. To improve the Platform and products and services that we offer, including recognising when there is a higher demand for our services; tailoring our Platform to the needs of all users; recommending options that match any stated preferences; and notifying you about changes to our services.
10. a) Necessary for our legitimate interests (to study how customers use our products/services, to develop them, to grow our business and to inform our marketing strategy).
12. 5. To enable us to manage customer service interactions with you.
14. a) Necessary for our legitimate interests (to understand how our customers use our products and services and improve our business).
16. 6. To keep a record of your relationship and purchase history with us.
18. a) Necessary for our legitimate interests.
20. 7. To verify your identity and to identify and prevent fraudulent transactions.
22. a) Necessary to comply with a legal obligation.
24. b) Necessary for our legitimate interests.

Please note that we may process your personal data for more than one lawful basis depending on the specific purpose for which we are using your data.

No automated decision making, including profiling, is used when processing your personal data.

Marketing

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising.

You will receive marketing communications from us if you have requested information from us or purchased products or services from us, or if you provided us with your details when you entered a competition or registered for a promotion and, in each case, you have expressly consented to receiving that marketing.

We will get your express opt-in consent before we share your personal data with any company outside ChargedUp for marketing purposes.

You can ask us or third parties to stop sending you marketing messages at any time by contacting us at hello@www.chargedup.theup.co.

Where you opt-out of receiving these marketing messages, this will not apply to personal data provided to us as a result of a product or service purchase, product or service experience or other transactions (which we will continue to process in order to perform a contract with you or as a result of our regulatory or legal obligations).

5. WHO WE SHARE YOUR PERSONAL DATA WITH

We will disclose your personal data with third parties if required to do so by law or regulation.

We will also share your personal information with the parties set out below for the purposes set out in this Privacy Policy:

1. External Third Parties as set out in the Glossary.
3. Specific third parties such as business partners, sub-contractors in technical, payment and delivery services, advertising networks, analytics providers, search information providers and credit reference agencies.
5. Third parties to whom we may choose to sell, transfer or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy policy.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

7. YOUR LEGAL RIGHTS

Access: You have the right to ask for a copy of the personal data that ChargedUp holds about you free of charge, however we may charge a ‘reasonable fee’ if we think that your request is excessive, to help us cover the costs of locating the information you have requested. We will respond to your request as soon as possible and (save for in certain circumstances) within one month.

Correction: If there are any inaccuracies in the information we hold about you, please contact us and we will correct them.

Deletion: If you think that we shouldn’t be holding or processing your personal data any more, you may request that we delete it. Please note that this may not always be possible due to legal obligations.

Restrictions on use: You may request that we stop processing your personal data (other than storing it), if: (i) you contest the accuracy of it (unless the accuracy is verified); (ii) you believe the processing is against the law; (iii) you believe that we no longer need your personal data for the purposes for which it was collected, but you still need your data to establish or defend a legal claim; or (iv) you object to the processing and we are verifying whether our legitimate grounds to process your personal data, override your own rights.

Object: You have the right to object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

Request the transfer: If you wish to transfer your personal data to another organisation (and certain conditions are satisfied), you may ask us to do so, and we will send it directly if we have the technical means. Please note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

Withdrawal of consent: If you previously gave us your consent to allow us to process your personal data for a particular purpose, but you no longer wish to consent to us doing so, you can contact us to let us know that you withdraw that consent. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

7. COOKIES

Our website uses cookies. A cookie is a small file of letters and numbers stored by computer after being sent to your computer when you visit a website. Whenever you visit the same website again, the information stored in the cookie can be retrieved to notify the website of your previous activity. We use cookies to facilitate website navigation, maintain quality of online service, provide additional security, allow the customisation of your access to the website and remember you when you return to the website.

A cookie cannot give us access to your computer or to information beyond what you provide us and we don’t store personally identifiable information such as your name or address in cookies we create, but we do use encrypted information gathered from them to help improve your experience of the website. If you don’t wish to enable cookies, you’ll still be able to browse the website and use it for research purposes.

You can choose to have your computer warn you each time a cookie is being sent, or you can choose to turn off/on certain cookies. You do this through your web browser settings. Each browser is different, so look at your browser Help menu to learn the correct way to modify your cookie settings.

When you visit our website you may notice some cookies that aren’t related to ChargedUp. If you go on to a web page that contains embedded content you may be sent cookies from these websites. We don’t control the setting of these cookies, so we suggest you check the third-party websites for more information about their cookies and how to manage them.

To find out more about cookies, including how to see what cookies have been set and how to manage and delete them, visit www.aboutcookies.org or www.allaboutcookies.org.

8. INTERNATIONAL TRANSFERS

Many of our external third parties are based outside the EEA so their processing of your personal data will involve a transfer of data outside the EEA.

Whenever we transfer your personal data out of the EEA, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

1. We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission.
3. Where we use certain service providers, we may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe.
5. Where we use providers based in the US, we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to personal data shared between Europe and the US.

Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the EEA.

9. DATA RETENTION

How long will you use my personal data for?

1. 1. We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.
3. 2. 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, regulatory, tax, accounting or other requirements.
5. 3. Details of retention periods for different aspects of your personal data are available in our retention policy which you can request from us by contacting us.

GLOSSARY

“External Third Parties”

means any of the following, as well as other third parties such as market researchers and fraud prevention agencies:

* 1. a) Service providers acting as processors based in [SPECIFIC COUNTRIES] who provide IT and system administration services.
  3. b) Professional advisers including lawyers, bankers, auditors and insurers based in the United Kingdom and the EEA who provide consultancy, banking, legal, insurance and accounting services.
  5. c) HM Revenue & Customs, regulators and other authorities based in the United Kingdom who require reporting of processing activities in certain circumstances.

“Personal data”

means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (‘anonymous data’).

“Legitimate interest”

means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law).

“Performance of a contract”

means processing your personal data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

“Comply with a legal or regulatory obligation”

means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to.