



Website & Diode Charge Platform Privacy Policy

1. Interpretation

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

- (a) **Diode:** Diode Group Limited (“we”, “us”, or “our”)
- (b) **Personal Data:** As described in 3.1
- (c) **Website:** <https://www.diode.energy>, and any sub-domains of this site unless expressly excluded by their own terms and conditions.
- (d) **Diode Charge Platform:** Diode's proprietary software platform that assesses electric vehicle suitability for businesses, employees and consumers, estimates charging needs across workplaces and employee homes, and manages the charging infrastructure procurement process, as updated by Diode from time to time.
- (e) **Homecharge Self Survey:** Part of the Diode Charge Platform; a survey of a home, carried out by an individual through the Diode Charge Platform, to provide the information Suppliers require to prepare and submit a Quote and apply for the OZEV EVHS Grant.
- (f) **Homecharge Assessment:** Part of the Diode Charge Platform; 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.
- (g) **EV Readiness Assessment:** an assessment carried out using the Diode Charge Platform, resulting in the production of an EV Readiness Report.
- (h) **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.
- (i) **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)
- (j) **Partner:** Any company that is partnered with Diode.
- (k) **Supplier:** Provider of hardware and/or installation services.
- (l) **Vehicle Usage Data:** is the data entered by a user indicating how, where and when they use their current vehicle.
- (m) **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.

2. Introduction

2.1. Important information and who we are

Welcome to Diode's Privacy and Data Protection Policy ("**Privacy Policy**"). At Diode ("**we**", "**us**", or "**our**") 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.

This Privacy Policy applies to all our employees and staff members and all Personal Data processed at any time by us.

2.2. Who is Your Data Controller

Diode is your Data Controller and responsible for your Personal Data. We are not obliged by the GDPR to appoint a data protection officer and have not voluntarily appointed one at this time. Therefore, any inquiries about your data should either be sent to us on email at 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). 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. Processing Data on Behalf of a Controller and Processors' responsibility to you

In discharging our responsibilities as a Data Controller we have employees who will deal with your data on our behalf (known as "Processors"). Therefore, the responsibilities described below may be assigned to an individual, or may be taken to apply to the organisation as a whole. The Data Controller 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

“**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).

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. Aggregated Data could be derived from your Personal Data but is not considered Personal Data in law as this data will not directly or indirectly reveal your identity. However, 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 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

There are a number of justifiable reasons under the GDPR that allow collection and processing of Personal Data. The main avenues we rely on are:

- **“Consent”:** Certain situations allow us to collect your Personal Data, such as when you tick a box that confirms you are happy to receive email newsletters from us, or ‘opt in’ to a service.
- **“Contract”:** We may require certain information from you in order to fulfil our contractual obligations and provide you with the promised service.
- **“Legal Compliance”:** We’re required by law to collect and process certain types of data, such as fraudulent activity or other illegal actions.
- **“Legitimate Interests”:** We might need to collect certain information from you to be able to meet our legitimate interests - this covers aspects that can be reasonably expected as part of running our business, that will not have a material impact on your rights, freedom or interests. Examples could be your address, so that we know where to deliver something to, or your name, so that we have a record of who to contact moving forwards.

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 that data. 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 data may be broader than described but we will never process your 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 the Diode Charge Platform	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 the Diode Charge Platform	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 uploads photographic survey information	Other Data	Consent Contract	To allow required Suppliers to provide service
When a user fills out the EV Readiness Assessment including entering a vehicle registration and Vehicle Usage Data	Other 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	Other Data	Consent Contract	To allow Suppliers to provide service.
When a user fills out the Homecharge Self-survey	Other Data	Consent Contract	To allow Suppliers to provide service
When a user uploads documents for their OZEV EVHS application	Other Data	Consent Contract	To allow Suppliers to provide service
When a user completes the EV Readiness Assessment and Homecharge Assessment	Profile/Identity Data Contact Data Other 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?

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

We do not guarantee the ability to delete all stored data. If you would like us to delete/correct personally identifiable data, let us know and we will action your request as soon as practicable.

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.

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.

California Privacy Rights: Under California Civil Code sections 1798.83-1798.84, California residents are entitled to ask us for a notice identifying the categories of personal customer information which we share with our Partners, Suppliers and/or third parties for marketing purposes, and providing contact information for such Partners, Suppliers and/or third parties. If you are a California resident and would like a copy of this notice, please submit a written request to info@diode.energy.

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 subcontractors 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 data remained in our possession. However, unfortunately no transmission of data over the internet is guaranteed to be completely secure. It may be possible for third parties not under the control of Diode to intercept or access transmissions or private communications unlawfully. While we strive to protect your Personal Data, we cannot ensure or warrant the security of any Personal Data you transmit to us. Any such transmission is done at your own risk. If you believe that your interaction with us is no longer secure, please contact us.

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.

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 clearly unfounded, 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 non-Personal 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 data controller and in compliance with applicable data protection and privacy laws (including the European Union General Data Protection Regulation (GDPR) 2016/679, the UK Data Protection Act 2018 and the GDPR, as it forms part of UK law by virtue of section 3 of the European Union (Withdrawal) Act 2018 (UK GDPR))

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 the Diode Charge Platform unless you are aged 16 or older. If you are under 16 and you access this Website or the Diode Charge Platform by lying about your age, you must immediately stop using this Website or the Diode Charge Platform.

Both this Website and the Diode Charge Platform 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 the Diode Charge Platform, you consent to the collection and use of data by us as set out in this Privacy Policy. Continued access or use of Diode Group Limited 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. Unless otherwise required by law, we reserve the right to not respond to emails, even if they relate to a legitimate subject matter for which we have provided an email address. As a matter of common sense, you are more likely to get a reply if your request or question is polite, reasonable and there is no relatively obvious other way to deal with or answer your concern or question (e.g. FAQs, other areas of our Website etc.).

Our staff are not authorised to contract on behalf of Diode, waive rights or make representations (whether contractual or otherwise). If anything contained in an email from a Diode address contradicts anything in this policy, our terms or any official public announcement on our Website, or is inconsistent with or amounts to a waiver of any Diode rights, the email content will be read down to grant precedence to the latter. The only exception to this is genuine correspondence expressed to be from the Diode legal department.