

MOSL Record of Processing Activities under Article 30 of GDPR

ICO Registration number	ZA196575
Data Controller & contact details	MOSL Limited White Building 1-4 Cumberland Place Southampton SO15 2NP
Data Protection Officer (DPO) & contact details	Andrew Johnson (General Counsel & Company Secretary) Andrew.johnson@mosl.co.uk dataprotection@mosl.co.uk
Why do we process personal data	<p>We have to establish a lawful basis to use personal data, so we will make sure that we only use personal data where we are satisfied that:</p> <ul style="list-style-type: none"> ○ as market operator of the water retail market the processing is necessary to comply with our legal obligations and/or where it is necessary for our legitimate interests (and those of Trading Parties and Ofwat). This includes to help delivery and performance of the services provided by Trading Parties (water wholesalers and retailers) to Non-Household (“NHH”) customers who are part of the water retail market in accordance with our obligations under the Market codes, to improve our service, to provide help or support in connection with CMOS, the Bilaterals Hub and the CMOS helpdesk, to ensure that they operate efficiently and securely, to carry out analytics across our datasets, to provide administrative and secretariat support for the efficient governance and operation of the Market; ○ and that this is not outweighed by the rights of the individual <p>Trading Parties:</p> <p>Personal data is collected solely by Trading Parties and MOSL for the purposes of providing the services and fulfilling our obligations under the Market Codes, which is either stored in CMOS (the central market operating system, where Market personal data is stored, in</p>

	<p>addition to Trading Parties' own systems) and the Bilaterals Hub (a MOSL system used for bilateral transactions between Trading Parties) and/or shared between parties in accordance with the Market codes. This does not include any personal data a Trading Party may collect for purposes outside of this purpose, such as for their own marketing. For this please see the individual Trading Parties' privacy notice.</p> <p>We process contact and communication, account, supply point details and dietary and access information in order to:</p> <ul style="list-style-type: none"> • operate CMOS and the Bilaterals Hub • to provide CMOS helpdesk support services • to facilitate and manage all of the electronic transactions involved in switching customers from their current provider to a new provider • For contact purposes, for example NHH customer employees and contact persons, who may need to be provide access to a premise or to make arrangements for a visit • provide usage and settlement data to the Trading Parties in connection with the billing process • to support the effective operation of the market including, in particular, providing administrative and secretariat support to meetings of committees, sub-groups and panels established under the market codes which may include organising meetings, ensuring papers are communicated to attendees and that attendees have the necessary access and dietary arrangements made in advance of their attendance. • to communicate important information to Trading Parties relating to CMOS, the Bilaterals Hub and the non-household water retail market <p>Employees:</p> <p>We will only use employees' personal information as permitted by the law. Most commonly, we will use their personal information in the following circumstances:</p>
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	<ol style="list-style-type: none"> 1. Where we need to perform the contract we have entered into with an employee 2. Where we need to comply with a legal obligation 3. Where it is necessary for our legitimate interests (or those of a third party) and an employee's interests and fundamental rights do not override those interests. <p>We may also use an employee's personal information in the following situations, which are likely to be rare:</p> <ol style="list-style-type: none"> 1. Where we need to protect an employee's interests (or someone else's interests) 2. Where it is needed in the public interest.
<p>Description of the categories of data subjects</p>	<ul style="list-style-type: none"> • Employees • NHH customers, including their contact persons • Trading Party employees and Board/Panel/Committee members
<p>What type of personal data do we process</p>	<p>The personal data we process the general operation of the Market in compliance with the Market Codes (including via CMOS, the Bilaterals Hub and the CMOS Helpdesk), includes the following:</p> <ul style="list-style-type: none"> ➤ Contact and communication details, including full names, email address, address, telephone number, job title, the organisation that a person works for, log-in details, records of any communication with Trading Parties; and ➤ Account details and supply point details (where a sole trader), customer classifications including unique identifiers, meter information or Market consumption data. The information we hold is described in detail in the Market data catalogue (Code Subsidiary Document 0301). <p>The personal data MOSL processes for the purposes of providing administrative and secretariat services to support the governance</p>

	<p>and operation of the Market under the Market codes includes the following:</p> <ul style="list-style-type: none"> ➤ Contact and communication details, including full names, email address, address, telephone number, job title and the organisation that a person works for; ➤ Access and dietary requirements including information regarding access requirements to buildings or meeting spaces in order to attend any committee, sub-group or panel meetings together with any dietary requirements for meetings; and ➤ Detail within Minutes which may be attributable to an individual such as actions or tasks. <p>Employees:</p> <p>The personal data that we process for our employees includes the following:</p> <ul style="list-style-type: none"> • Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses • Date of birth • Gender • Marital status and dependants • Next of kin and emergency contact information • National Insurance number • Bank account details, payroll records and tax status information • Salary, annual leave, pension and benefits information • Start date • Location of employment or workplace • Copy of driving licence and passport • Recruitment information (including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process) • Employment records (including job titles, work history, working hours, training records and professional memberships) • Compensation history • Performance information • Disciplinary and grievance information
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	<ul style="list-style-type: none"> • Information about an employee’s use of our information and communications systems • Photographs
<p>We also process the following special categories of data</p>	<ul style="list-style-type: none"> • Information about an employee’s race or ethnicity • Information about an employee’s health, including any medical condition, health and sickness records • Information about criminal convictions and offences <p>Where we process special category data related to employees, we do so in accordance with Article 9(2)(b) of GDPR and Schedule 1 of the Data Protection Act 2018, for employment, social security and social protection law purposes.</p>
<p>Whose personal data do we process</p>	<p>NHH customers:</p> <p>We comply with the data minimisation principles of data protection laws and we will not collect any personal data that we do not need in order to provide the Market services, including updating CMOS, the Bilaterals Hub and using the CMOS helpdesk. In particular, we do not collect any special categories of data, such as details relating to race, health, sexual orientation, in the general course of providing services in connection with the Market, unless required and only when we have an appropriate legal basis to do so. Occasionally, we may hold information indicating that due to their health needs a NHH customer is a priority for re-connection if there is an interruption to the water supply. We will do this with the explicit consent of the NHH customer.</p> <p>Information about NHH customers will be provided to MOSL by Trading Parties or a person acting on behalf of the Trading Parties in connection with a NHH customer switching retailers, or for Bilateral Hub transactions. MOSL may also collect information about NHH customers indirectly from other sources, for example public registers, where we believe this is necessary to help ensure security of CMOS, the Bilaterals Hub and the CMOS helpdesk.</p> <p>Trading Party staff and representatives</p>

	<p>MOSL will collect information from Trading Party staff and representatives directly when they contact MOSL through the CMOS Helpdesk. To the extent permitted by law, MOSL may also monitor and record telephone calls for training and quality assurance purposes when they call the CMOS helpdesk directly for user support.</p> <p>Any Members appointed to, or attending, Committees, Sub-Groups or Panels</p> <p>MOSL will also collect information from data subjects where they are appointed to sit on or attend any committees, sub-groups or panels established under the Market codes to the extent that MOSL provides administrative and secretariat support to those committees, sub-groups and panels.</p> <p>Employees:</p> <p>We need the following personal data primarily to allow us to perform our contract with our employees and to enable us to comply with legal obligations. In some cases, we may use an employee's personal information to pursue legitimate interests of our own or those of third parties, provided an employee's interests and fundamental rights do not override those interests. The situations in which we will process an employee's personal information are listed below.</p> <ul style="list-style-type: none"> • Making a decision about recruitment or appointment • Determining the terms on which an employee work for us • Checking they are legally entitled to work in the UK • Paying employees and, if they are an employee (as defined under law), deducting tax and National Insurance contributions • Providing employment benefits to employees • Liaising with an employee's pension provider • Administering the contract we have entered into with an employee
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	<ul style="list-style-type: none"> • Business management and planning, including accounting and auditing • Conducting performance reviews, managing performance and determining performance requirements • Making decisions about salary reviews and compensation • Assessing qualifications for a particular job or task, including decisions about promotions • Gathering evidence for possible grievance or disciplinary hearings • Making decisions about an employee's continued employment or engagement • Making arrangements for the termination of our working relationship • Training and development requirements • Dealing with legal disputes involving an employee, or other colleagues including accidents at work • Ascertaining an employee's fitness to work • Managing sickness absence • Complying with health and safety obligations • To prevent fraud • To monitor an employee's use of our information and communication systems to ensure compliance with our IT policies • To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution • To conduct data analytics studies to review and better understand employee retention and attrition rates • Equal opportunities monitoring. • Some of the above grounds for processing will overlap and there may be several grounds which justify our use of an employee's personal information.
<p>Who might we share this personal data with</p>	<p>We may have to share data with third parties, primarily third-party service providers. We require third parties to respect the security of data subjects and to treat it in accordance with the law. We may share data with the following third parties:</p>

	<ul style="list-style-type: none"> • service providers such as CGI, who help manage our IT and back office systems, and Passageways, who provide software, and associated IT support services to manage the papers for our Board and its Committee meetings • Trading Parties, to manage the switching of supply points consistent with applicable laws and billing process • other members of the Board and Committees established under the market codes, and our Articles of Association, for the effective governance and operation of the market • service providers such as, but not limited to, Mail Chimp and Mi-Voice, who enable us to communicate important information regarding the operation of CMOS/the Bilaterals Hub and the non-household water retail market and to administer General Meetings. <p>No third parties have access to personal data unless authorised by law (for example a regulatory body) or where consent has been provided (for example where Trading Party employees or representatives have agreed to be contacted in relation to CMOS, the Bilaterals Hub and water retail market updates). We take all reasonable steps to ensure that personal data is processed securely. Where data is shared with third parties a data processing or data sharing agreement will be agreed between us and the third party.</p>
<p>What happens when we need to share personal data with people or organisations who are outside the European Economic Area</p>	<p>We may transfer a data subject’s personal information outside the EU.</p> <p>However, we will not share, transfer or store personal data outside the EEA unless (a) it is a transfer to a country or organisation which is recognised by the European Commission as providing an adequate level of legal protection for a data subject’s information, or (b) we have put in place appropriate contractual arrangements with the organisation with whom we are sharing data subject’s information on</p>

	<p>terms approved by the European Commission In those cases, data subjects will have the right to ask us for more information about the safeguards we have put in place (e.g. to request a copy where the safeguard is documented, which may be redacted to ensure confidentiality).</p>
<p>How long will we keep the personal data we process for</p>	<p>In some circumstances we may retain personal data for longer periods of time where we are required to do so to meet legal, regulatory, tax or accounting requirements, in particular:</p> <ul style="list-style-type: none"> • to ensure we retain appropriate records of key meetings and decision-making undertaken by the committees, sub-groups and panels established under the Market codes <p>however, this shall not exceed a period of 6 years from the date of the last correspondence with a data subject. Where a data subject's personal data is no longer required, we will ensure it is either securely deleted or stored in a way which means it will no longer be used by the business.</p> <p>Employees:</p> <p>We will only retain employees' personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. 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 an employee's personal data, the purposes for which we process the personal data and whether we can achieve those purposes through other means, and the applicable legal requirements. In some circumstances we may anonymise the personal information so that it can no longer be associated with any employee, in which case we may use such information without further notice to that employee. Once an employee is no longer a colleague at MOSL, we will retain and securely destroy their personal information in accordance with our</p>

	<p>data retention policy and any applicable laws and regulations.</p>
<p>What steps do we take to keep personal data secure</p>	<p>We have put in place measures to protect the security of personal data.</p> <p>Third parties will only process personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.</p> <p>We have put in place appropriate security measures to prevent personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to employee’s personal information to those colleagues and other third parties who have a business need to know. They will only process that personal information on our instructions, and they are subject to a duty of confidentiality.</p> <p>We have put in place procedures to deal with any suspected data security breach and will notify a data subject and any applicable regulator of a suspected breach, promptly, where we are legally required to do so, in accordance with our data protection breach policy.</p>