



Consumer Data Right Policy

30 October 2023

Next Business Energy's CDR policy describes the guidelines and principles associated with the collection, storage, use, and sharing of consumer data in accordance with the Consumer Data Right (CDR) legislation and CDR privacy obligations as an Accredited Data Holder





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Introduction

Next Business Energy (NBE) is an electricity retailer that sells contracts to small and medium businesses in the National Electricity Market (NEM). As a retailer that supplies electricity to more than 10,000 customers, NBE is obligated to provide access to consumer data via the CDR under the Commonwealth's CDR Legislation.

This CDR policy describes the guidelines and principles that direct how Next Business Energy will manage the collection, storage, use, and sharing of consumer data in accordance with the Consumer Data Right (CDR) legislation and CDR privacy obligations,

Next Business Energy's CDR Policy is available free of charge. If you cannot download a copy, contact us to provide you with a free hard copy.

This policy applies to all employees, contractors, and third-party entities associated with Next Business Energy. All employees and contractors are required to comply with this policy.

It is important to note that this policy does not set out how Next Business Energy manages consumer information generally. Our Privacy Policy sets out how we treat consumer information.

Next Business Energy is committed to *consumer data* privacy and security as stipulated in the CDR legislation and Australian Privacy Principles. This policy guides the collection, storage, usage, and sharing of *consumer data*, ensuring we handle data responsibly and in accordance with applicable Laws.

What is the Consumer Data Right?

The Consumer Data Right (CDR) is a regulatory regime that the Australian Federal government recently introduced to give electricity consumers greater transparency around their energy usage and costs. It does this by allowing eligible providers (Accredited Data Recipients) access to your important energy data easily using the CDR-accredited systems and processes.

The CDR legislation was introduced to allow consumers to access their data in a safe, easy-to-read format providing explicit consent on how their data is used and enabling consumers to make informed decisions about their energy service by giving them the power to compare their data to the market and get a more detailed understanding of their use of electricity, empowering them to find the right electricity deal for their situation.

Using the CDR, a consumer can allow Next Business Energy to share their data with accredited third parties. The data that may be shared relates to a consumer's electricity contract, as well as information about account and billing arrangements.

CDR Data Safety

Data Holders (such as Next Business Energy) and Accredited Data Recipients have strict obligations that are enforced under the Competition and Consumer Act, and the CDR Rules. These rules apply to both the collection of your data via the CDR process and the use of that data.

To request access to your data, Accredited Data Recipients must be accredited by the Australian Competition and Consumer Commission (ACCC) under strict accreditation criteria and privacy and information security standards.

The privacy of CDR data is also regulated by the Office of the Australian Information Commissioner (OAIC).

The objective of this policy

The objective of this policy is to guarantee Next Business Energy's compliance with CDR legislation while safeguarding *consumer data's* privacy and security.

This CDR policy pertains to all *consumer data* handled by Next Business Energy, irrespective of the collection mode (online/offline) or department. It also extends to any third parties who manage or access our *consumer data*.

What Data is available via the CDR?

CDR Data holders are required to provide certain information about your account to Authorised Data Recipients when you authorise them to access that data using the CDR interfaces. You can only access data about your current electricity account.

This is a free service, that only provides the data that you consent to being provided, to your authorised data recipient.

The required consumer data we must make available to be shared is:

- Name and contact details.
- Account and plan details.
- Electricity usage data.
- Billing, payments, and history
- Payment information.
- Energy generation and storage.
- Concessions.
- Electricity connection and meter.

We will provide your AEMO usage data as part of your electricity usage data request. The data that will be provided will only be for the period you have been active with Next Business Energy.

Details about the CDR data that you authorised to be disclosed can be found in the online CDR dashboard that is set up when you establish an Authorised Data Recipient to access your data.

Next Business Energy does not accept requests to share consumer data that is **not** required to be provided under the CDR legislation.

Product data refers to information on all the products that are provided by a data holder and does not include any consumer data. Product data requests (information about our prices and services) are provided by Energy Made Easy or Victorian Energy Compare which are government-run services. As a result, Next Business Energy is not required to provide Product data information via the CDR.

Our CDR Principles

Next Business Energy has adopted the following principles associated with its obligations as a Data Holder under the Consumer Data Right legislation.

1. Next Business Energy shall collect *consumer data* only for *Legitimate business purposes* and in adherence to the principles of data minimisation and purpose limitation.
2. *Consumer data* will be stored securely to prevent unauthorised access and protect the data's integrity.
3. Data usage will align with the purpose for which it was collected and will necessitate consumer consent.
4. Next Business Energy shall not disclose *consumer data* to third parties without consent, except as mandated by law.
5. Next Business Energy will use its best endeavours to ensure that *consumer data* is accurate, up-to-date, and complete.
6. Next Business Energy recognises consumers' rights to access, correct, delete, and transfer their data to other service providers.

Our CDR Procedures and Processes

Next Business Energy will:

- Implement robust security measures including encryption, firewalls, and stringent access controls.
- Institute procedures to align data handling practices with this policy and the CDR legislation.
- Conduct bi-annual training for all appropriate employees and contractors on the CDR legislation and this policy.
- Conduct regular reviews and updates to this policy to ensure compliance and account for technological and business practice advancements.

- Enable consumers to request access to their data by contacting us. The requested data will be provided within 30 days, in accordance with the CDR legislation.
- Ensure that any inaccuracies in *consumer data* will be promptly corrected upon receiving a consumer request.
- Ensure that any *Consumer data* will be deleted upon request, except where laws or energy regulatory obligations mandate its retention.
- Securely destroy *consumer data* in accordance with laws and energy regulatory obligations.
- Ensure that sensitive information, such as financial and health data, will receive heightened protection measures to maintain privacy and security.

Accessing and managing your Consumer Data

The Consumer Data right allows you to share your CDR data with Accredited Data Receivers (ADR) to allow them to provide you with a product or service.

A list of CDR Accredited Data Holders (ADH) and Data Receivers is located at <https://www.cdr.gov.au/find-a-provider>

When you choose an Accredited Data Recipient, they will request your consent to collect your CDR data from your Accredited Data Holder (Next Business Energy) using their CDR application.

Accessing and sharing your data

To share your data, you'll need to be at least 18 years old, have an email registered with NBE on your eligible electricity account and then make a data-sharing request with an Accredited Data Provider using their CDR application.

When you make a request via an ADR, then:

- With your consent the ADR will direct you to NBE's CDR portal and you will be required to enter the email you have registered on your electricity account.
- You will then be sent a One Time Password to your registered email address.
- After you have entered your One Time Password in our CDR portal you then select those accounts you want to share with your ADR, and then select what CDR data you want to them to receive.
- You will be asked to authorise NBE to share your CDR data and verify the amount of time that the data will be shared (once, for a set period, or ongoing).

Managing your data

Using your dashboard, you can

- view your CDR arrangements;

- stop sharing your data with ADRs; and
- remove an account from an ADR arrangement.

Next Business Energy's CDR Dashboard

- Use this link to access Next Business Energy's CDR Portal and your CDR dashboard.
- <https://dashboard.cdr.nextbusinessenergy.com.au/>

Errors in your Data

If you find errors in your CDR data, please contact us at info@nextbusinessenergy.com.au and we will investigate and attempt to correct the data.

We shall advise you within 10 business days if we have identified errors and corrected your data. If your data was correct, we will advise you why we have not corrected it.

This is a free service.

There are certain circumstances where data provided is sourced from third parties like electricity usage data from the Australian Energy Market Operator (AEMO). Where a request for a data correction relates to a third party, we will commence any action to remedy this error as required of us under the relevant electricity laws.

If incorrect CDR data has been shared, you will be advised immediately, providing you with the details of what and who that data was shared with, and how to go about requesting that the corrected data is shared with the correct third party.

You have the right to access and correct any personal information we have about you, please refer to our privacy policy at <https://nextbusinessenergy.com.au/privacy-policy/>.

Complaint Handling

- If you have a question, need to request a correction to your CDR data, make a complaint, or get a printed copy of this policy, you can contact us at info@nextbusinessenergy.com.au, or call us on 1300 466 398 during business hours.
- If you are concerned about how we have handled your CDR request or inquiry, you should contact us by emailing the CDR Officer at info@nextbusinessenergy.com.au (attention CDR Officer).
- The *CDR Officer* is responsible for investigating all complaints. Investigations will be initiated promptly, and we will attempt to provide a response to you within 4 business days.
- If you are not satisfied with how your complaint was handled, you can request that we escalate your complaint internally, or you can escalate your complaint to the energy ombudsman in your state.
- The *CDR Officer* will report complaints to the ACCC as required by the CDR legislation.

Making a CDR enquiry or complaint

If you're concerned about how we've handled your CDR request or inquiry, please contact us using the details in the contact us section at the end of this policy. Next Business Energy takes concerns and complaints about its services seriously and we will endeavour to resolve any issues as soon as possible.

- When contacting us please include the following:
- Your name and contact details (you also have the option of making an anonymous complaint if you wish).
- Details about your question, concern, or complaint (i.e., what went wrong) and what you'd like us to do to resolve it.
- Any supporting information including any documents you may have.

What happens after we receive your enquiry?

1. Next Business Energy will confirm receipt of your issue, concern, or complaint (usually by the next business day, or immediately if the complaint is made by phone).
2. We'll consider the information you've provided to us and investigate the issue.
3. We'll work with you to provide a fair resolution, including:
 - assisting you with managing your data sharing arrangements
 - correction of your CDR data.
4. If we're unable to resolve your issue within 30 days, we will advise you why and provide you with the date you can expect to receive a resolution, and we will continue to keep you updated.
5. You can read more about how we handle complaints by downloading our Complaint Handling Policy [here](#).
6. If you're not satisfied with how we have managed your Consumer Data Right complaint, you can contact your local energy Ombudsman (Details below) at any time for advice or to make a complaint. The Ombudsman is independent, and their services are free.

Escalating your complaint

If you're not satisfied with how Next Business Energy has managed your Consumer Data Right complaint, you can contact your local Energy Ombudsman at any time for advice or to make a complaint. The Ombudsman is an independent and free service.

You can also contact the Australian Privacy Commissioner at the Office of the Australian Information Commissioner (OAIC), see below.

Australian Capital Territory

ACT Civil and Administrative Tribunal
02 6207 1740
www.acat.act.gov.au

Queensland

Energy and Water Ombudsman
1800 662 837
www.ewoq.com.au

Victoria

Energy and Water Ombudsman
1800 500 509
www.ewov.com.au

New South Wales

Energy and Water Ombudsman
1800 246 545
www.ewon.com.au

South Australia

Energy and Water Ombudsman
1800 665 565
www.ewosa.com.au

Complaints to the Australian Privacy Commissioner

Before making a complaint to the Australian Privacy Commissioner, you should make your complaint to your local energy ombudsman (listed above) who are external dispute resolution (EDR) schemes that are able to help with a privacy related complaint as well as consider non-privacy issues associated with your electricity account.

If you wish to complain to the Australian Privacy Commissioner, you can send your complaint to:

- Online: [privacy complaint form](#)
- By Post: GPO Box 5288, Sydney NSW 2001 (send it by registered mail if you're concerned about sending it by registered mail if you're concerned about sending it by standard post)
- By Fax +61 2 6123 5145.

Other Data Requests

You may also make data requests that are not covered by the Consumer Data Right, (for example details on the personal information we may hold) directly to Next Business Energy via the contact details in the contact section below. We will review those requests in accordance with the Australian Privacy Principles, our Privacy Policy and any relevant Energy Laws and Regulations.

Reporting and Breach Reporting

- The *Compliance Officer* is responsible for ensuring that all reporting in accordance with CDR requirements is provided when required.

- All employees and contractors shall report any suspected policy breach to the designated *Compliance Officer* immediately using the designated email address for breach reporting.
- The *Compliance Officer* will thoroughly investigate all reported breaches and implement corrective measures. All breaches will be reported to the ACCC within 30 days, in accordance with CDR legislation.

Revision and Review

This policy will undergo an annual review or as required to keep pace with CDR legislation and technology advancements. Updates to this policy will be provided and circulated to relevant officers.

Enforcement

Non-compliance with this policy may result in dismissal and disciplinary action, up to and including contract termination or employment dismissal, and may also result in legal and regulatory consequences. Next Business Energy will take all necessary steps to enforce this policy and ensure compliance with the CDR legislation.

Contact Information

Contact our customer care team. They are available Monday to Friday, 9.00 am to 5.00 pm (excluding public holidays).

Email: info@nextbusinessenergy.com.au

Phone: 1300 GO NEXT (1300 46 6398)

By Post: PO Box 550 Flinders Lane VIC 8009



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Definitions

- "**Consumer data**" refers to any information that relates to an individual and is collected, stored, used, and shared by Next Business Energy during its business activities.
- "**Legitimate business purposes**" entail the collection, storage, use, and dissemination of *consumer data* to provide and improve products and services, and for market research.
- The **CDR Officer** is the appointed individual responsible for ensuring customer enquiries and complaints are resolved in conjunction with this policy and the Next Business Energy Complaint Handling Policy.
- The **Compliance Officer** is the appointed individual responsible for overseeing policy implementation and ensuring compliance with CDR legislation.
- The **Privacy Officer** is the appointed individual responsible for overseeing Privacy policy implementation and adherence to the Australian Privacy Principles.
- **ACCC: The Australian Competition and Consumer Commission** is a government agency responsible for enforcing consumer protection laws and promoting fair competition.
- **OAIC: The Office of the Australian Information Commissioner** is an independent statutory agency overseeing privacy and data protection in Australia.
- **Employee** refers to an individual employed by Next Business Energy
- **Contractor** refers to an individual or entity engaged by Next Business Energy to provide services.