

Benenden Healthcare Pension Plan (the “Plan”)

Privacy Notice

The Trustees of the Plan hold and process personal data about Plan members and beneficiaries to calculate and pay their pension benefits from it. In doing so, the Trustees must comply with data protection legislation. This notice explains how your data in relation to the Plan is used.

Information the Trustees may collect from you

As a “data controller” under UK GDPR, the Trustees may collect and process your personal information in order to administer the Plan and comply with their legal and regulatory obligations. Such personal information could include your date of birth, gender, marital status, length of employment, bank details, National Insurance Number, information relating to your tax band and details of your dependants. It will also include your contact details such as residential address, email address and telephone number.

Information the Trustees may collect from others

Whilst much of the data the Trustees hold is provided by members themselves, the Trustees also hold and process data provided by the employers in respect of the Plan, HMRC, the DWP, regulatory bodies and tracing organisations.

Beneficiaries

The Trustees also receive information from members about their proposed beneficiaries who may be eligible to receive benefits on a member’s death.

If you provide personal data about another individual, you should ensure that you have informed them that you are providing their information to the Trustees, and direct them to this privacy notice so that they understand how their data will be used.

Purposes for which and the basis upon which the Trustees will process your personal data

The Trustees use your personal information to administer the Plan, including to calculate and pay benefits. The ways that the Trustees will use your information include:

- Identifying you and your survivors and making sure your details are up to date
- Communicating with you
- Calculating and paying your benefits
- Making decisions – such as whether to agree to early payment or how to distribute benefits after your death

Legal basis for processing your information

The Trustees must have a lawful basis under UK data protection law (often called the legal basis) to hold and use your personal information. The Trustees process your personal information where it is necessary for the Trustees to comply

with legal obligations under applicable legislation or for the performance of a contract or to take steps at your request in connection with benefits under the Plan. The Trustees also use your personal data where necessary for their legitimate interests in administering the Plan, including providing benefits to members and beneficiaries and ensuring the Plan is operating effectively. In some cases, the Trustees may rely on legitimate interests that are recognised in law, where this is permitted under UK data protection legislation.

Sensitive personal data

The Trustees may hold certain types of personal data that are considered “special category” data under UK data protection law about some members for limited and specific purposes (such as health data, in relation to determining ill-health early retirement applications or for the payment of discretionary death benefits). The Trustees will only process such data typically with your explicit consent. Where the Trustees are relying on your consent to process the sensitive data you may withdraw it at any time. Where it is not possible or practical to obtain consent the Trustees will only hold such data where it is necessary in order to determine the benefits payable.

Storage of personal data

The Trustees will hold personal data relating to Plan members and their dependants for as long as may be necessary for the purposes for which it was collected, including in order to administer benefit entitlements and to maintain records of compliance with their obligations under the Plan.

Due to the long-term nature of pension benefits, this may mean that personal data may be retained by the Trustees for extremely long periods of time, including after the individual has ceased to be entitled to benefits under the Plan. The Trustees review retention periods periodically to ensure that data is not kept for longer than necessary.

Disclosure of personal data

In the course of administering the Plan, the Trustees will engage third-party providers such as pensions administration service providers, tracing agencies, mailing providers, a Plan actuary, actuarial firms, lawyers, accountants, auditors, insurance companies, investment advisers and fund managers, IT service providers and similar external advisers. The Trustees may disclose your personal data to these third parties in connection with their services provided to the Trustees. Those third parties may disclose your personal data to any sub-processors that they engage in respect of these services. They may also provide your personal data to integrated service providers for the purposes of connecting the Plan to the pensions dashboards programme and responding to information requests. The Trustees may, where appropriate, share your personal data with the employers in relation to the Plan, and to their advisers, for example to assist the employers with exercises where the Plan is relevant.

The Trustees may also disclose your personal information to third parties in the following types of situations:

- in considering entering into a buy-out/buy-in of any of the benefits under the Plan, in which case the Trustees may disclose your personal data to any prospective counterparty (and any reinsurer) to such a transaction;
- if the Trustees are under a duty to disclose or share your personal data in order to comply with any legal obligation or regulatory requirement.

In some circumstances, the Trustees’ third-party advisers (who may process your personal information to comply with their professional duties as advisers to the Trustees) are also considered as data controllers in relation to your personal information.

If you require further details about the disclosure of personal data please contact the Trustees (contact details below).

International transfers of personal data

Wherever possible, the Trustees will process your data only within the United Kingdom or European Economic Area (EEA). Certain countries outside of the EEA have been approved as providing essentially equivalent protections to EEA data protection laws and therefore no additional safeguards are required to export personal data to these jurisdictions. The Trustees do not generally, and have no intention to, transfer or process the personal data that is collected about you outside the EEA, but if it is necessary to do this the Trustees will ensure that adequate safeguards in respect of the security of such information are in place.

Your rights in relation to your personal data

You have the right to access the personal data the Trustees hold about you (commonly known as a data subject access request). When responding to your request, the Trustees will carry out searches that are reasonable and proportionate, taking into account the nature of your request. Where necessary, the Trustees may ask you to provide further information to clarify your request or to verify your identity. This may affect the time taken to respond. Further information about how to make a request can be obtained by contacting the Trustees using the details below.

You also have the following:

- the right to have inaccurate data corrected
- the right to request erasure in certain circumstances
- the right to restrict or object to processing in certain circumstances
- the right to data portability (where applicable)
- rights relating to automated decision-making

These rights are subject to certain legal conditions and limitations. Please contact the Trustees in relation to any such requests (contact details below).

Complaints

If you have a complaint about how your personal data is being handled, you have a right to complain directly to the Trustees. The Internal Dispute resolution Procedure sets out the complaints process which you may use for the purposes of data protection complaints. The Trustees will acknowledge receipt of your complaint and will investigate and respond to it in accordance with their policy for dealing with a complaint relating to personal data. You also have the right to lodge a complaint with the Information Commissioner's Office (ICO), the UK supervisory authority for data protection matters.

More information regarding your rights can be found at the website of the Information Commissioners Office (www.ico.org.uk).

If you have any concerns in relation to the Trustees' handling of your personal information, please contact the Trustees (contact details below). If your concern is not resolved to your satisfaction, you have a right to lodge a complaint with the Information Commissioner's Office:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Tel: 0303 123 1113 or 01625 545 745

Fax: 01625 524 510

Email: casework@ico.org.uk

Contact

The Trustees can be contacted through the Plan's Administrator as follows:

Benenden Healthcare Pension Plan

c/o Hymans Robertson LLP

45 Church Street

Birmingham

B3 2RT

Phone: 0141 227 9773

Email: benendenpension@hymans.co.uk

The Trustees regularly review their Privacy Notice and will update you of any changes to it.