

Fuller Smith and Turner Pension Plan

Privacy notice for the Fuller Smith and Turner Pension Plan ('the Plan')

Data protection regulation is extremely important to ensure that personal information is kept securely and used only for proper purposes. The Trustees of the Plan and their advisers are subject to the current UK Data Protection legislation, the United Kingdom General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018 (DPA 2018).

This privacy policy documents how your personal data will be processed by the Trustees of the Plan.

The pension scheme member data that our advisers hold on our behalf is never sold to other organisations and is never used so that other organisations can sell you their products or services.

Under UK GDPR, the Trustees are considered a "Data Controller". This means that the Trustees decide how and why your personal data is used. As Data Controllers, we hold your data for the purpose of administering the Plan. Generally, the legal basis for the processing is that it is necessary for the Trustees to comply with its legal obligations. Sometimes the Trustees may process the data more than is strictly required to comply with its legal obligations but it has a legitimate interest in processing the data in order to promote the efficient administration of the Plan, increase the security of members' benefits or to give you access to options you otherwise would not have. It is difficult to be specific in advance about the circumstances in which the Trustees may rely on its legitimate interests. When such a situation arises however the Trustees will carry out an assessment to ensure that the processing is lawful and is no more than is necessary for the Trustees to achieve the identified purpose.

Where the Trustees are required to process sensitive personal data relating to you (for example, in respect of ill-health early retirement options), we will normally seek your explicit consent but we may also rely on exceptions permitted by the legislation if it is impracticable to obtain consent.

What is personal data?

This is information that we hold about you that could be linked to you as an individual by someone who had access to the data. So things like National Insurance Number, date of birth, home address and bank details are all examples of personal data we may need to hold about you.

We need this information in order for us to administer the Plan and calculate and pay your Plan benefits. You may have to provide some of this personal data to us under the terms of your employment contract, or as a condition of membership of the Plan, or by law, for example when you are required to tell us about benefits you have taken from another pension arrangement. Data such as your pensionable salary and length of service is obtained from your employer if you are still in pensionable service.

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We may also collect information from other parties such as:

- previous or future employers
- anyone who might be entitled to benefits as a result of their connection with you (family members, financial dependants or personal representatives)
- people who may have named you as a potential beneficiary in relation to their own pension benefits
- Government bodies or departments such as HMRC.

If we did not have this information, you or your family may not receive the benefits to which you are entitled.

Who has access to my data?

The administrator, XPS Administration, is the organisation that holds complete records of all the members of the Plan, which it uses for example to calculate your benefits. The Scheme Actuary needs access to some of that data in order to assess how well funded the Plan is and sometimes in order to assist in calculating benefits. The Plan's bulk annuity insurance policy provider, Legal and General Assurance (Pensions Management) Limited ("Legal & General"), will have access to some or all of this data. From time to time, other organisations will also need access to your data. For example the Plan Auditor will see a limited amount of personal data in order to ensure that the Plan's finances are in order and the correct benefits are being paid out. The Plan's legal advisor may need to be consulted on individual cases. If you are a pensioner we have to provide information to HMRC so that they know what tax has been deducted from your pension and for the purpose of administering your benefits if you have been contracted out of the State second pension.

The Trustees may also pass data about you to the Plan's sponsoring employer. The Trustees consider that the sponsoring employer has a legitimate interest in the scheme being run in a cost effective way and may have an interest in offering certain benefit options. In these situations the Trustees will always consider how it can minimise the disclosure of personal data and you will also have the right to object to the processing of your data when it is based on legitimate interests.

In the course of administering the Plan, your personal data may also be passed to:

- tracing agencies and communications service providers;
- advisers such as actuarial firms, lawyers, accountants, auditors and investment consultants;
- HM Revenue & Customs and
- investment managers.

All of the organisations that need access to your personal data will have to comply with the new regulations, but the Trustees and their advisers also check that the Trustees' contracts with data processors place the appropriate obligations on them to comply with data protection legislation.

What will you do with my personal data and how long will you keep it?

The reason we hold individual member records (that contain personal data) is for the purposes of administering the Plan in accordance with its trust deed and rules and the law which applies to pension schemes so that the correct pension benefits can be calculated when members retire and once retired, members continue to be paid the correct pension. The Trustees and the Plan's administrators and

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advisers need access to the information to ensure that everyone receives the correct pension and in the event of a member's death that dependants are also paid the correct benefit.

We will need to hold personal data for as long as it is necessary to administer your benefits, probably as a minimum until (potentially long after your own death) any dependant's pension ceases. In practical terms, there are often occasions when a review of historical member information is necessary. One of the most recent examples of this is HMRC's decision to cease the practice of contracting out of the State Second Pension. In this case the Scheme administrators are looking back at records held up to 40 years ago to make sure that every member's contracted out record is correct and is in line with what HMRC hold.

The Trustees do not generally, and has no intention to, transfer or process the personal data that it collects about you outside the European Economic Area.

How XPS uses your information

The Scheme Actuary, XPS Pensions when providing defined benefits actuarial consulting services, and Legal and General are Data Controllers in common with the pension scheme trustees and so we share your personal information with XPS in order for them to provide these services.

The XPS Privacy Information is available at <http://www.xpsgroup.com/legal-regulatory/your-privacy/>

The relevant notice for you is labelled "Combined Scheme Actuary & Actuarial Consulting privacy information".

XPS may make changes from time to time so you should check the latest version of this Privacy Information occasionally.

We take your privacy very seriously and we ask that you read XPS's Privacy Information carefully as it contains important information on:

- The personal information we share with XPS in relation to the services provided;
- What XPS does with your information;
- Who XPS may share your information with; and
- What rights you have regarding XPS's holding of your information.

The Scheme Actuary may change. If you wish to know who the current Scheme Actuary is, please refer to the most recent scheme accounts, or contact the Trustees.

You can find out more about what Legal & General do with your personal information, and their reasons for processing your personal information, by reading their Privacy policy, which is available online at www.legalandgeneral.com/institutional/pension-risk-transfer/privacy-policy/

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What rights do I have?

You already have the right to see your own pension scheme records (this is known as a Subject Access Request) and require that we rectify any errors in the data that we hold but in addition, you will (under certain limited circumstances) have the right to be forgotten or have your personal information deleted and to restrict or object to the processing of your data. However, as far as the Plan is concerned, without your personal information the administrator would not be able to calculate or pay your benefits and you will not, for example, be able to object to the processing of your personal data if the Trustees need to process the data in order to comply with its legal obligations.

For pension schemes there are legal and valid reasons why your data is kept and used for all the purposes associated with managing a pension scheme. If you are asked to provide consent (to agree that another organisation can have access to your data, or for us to use especially sensitive information such as health records) then you have the right to withdraw that consent at any time. However, if we do not hold all the data we need to administer your benefits, we may not be able to pay out the benefits you are entitled to.

If you are unhappy with the way your data has been used you can complain to the Information Commissioner's Office (ICO). The ICO's address is shown below:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number

Contact details

If you have any questions the Trustees can be contacted via:

Fullers@XPSGroup.com

Fuller, Smith and Turner Pension Plan
C/o XPS Group
PO Box 562
Middlesbrough
TS1 9JA

For and on behalf of the Trustees of the Fuller, Smith & Turner Pension Plan