

# Privacy Notice

## 1. Introduction

This privacy notice details the ways in which the Trustees (or “we”, “our”, “us”) of the NEU Pension Scheme (the “**Scheme**”) collect and utilise your personal data, as a member of the Scheme.

We are required under new data protection legislation (called the General Data Protection Regulation, as modified and incorporated into UK law, or the “**GDPR**” and, the Data Protection Act 2018 or the “**DPA**”), to notify you of the information contained in this privacy notice. This is because the Trustees, together with: the Scheme Actuary (Rob Hammond) and Actuarial Advisers (First Actuarial LLP), are joint data controllers in respect of your personal data that we ‘process’ (i.e. collect, store, transmit and erase) and, therefore, are responsible for deciding how and why we hold personal data about you.

**It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.**

## 2. Who We Are

The Trustees may be contacted via the Scheme administrators. In the first instance please contact Natalie Ogden at First Actuarial LLP, Trafford House, Chester Road, Manchester, M32 0RS or by email to [natalie.ogden@firstactuarial.co.uk](mailto:natalie.ogden@firstactuarial.co.uk).

## 3. Data Protection Officer

The Trustees have not appointed a Data Protection Officer. Any enquiries in relation to the processing of personal data should be directed to First Actuarial at the contact details above

## 4. Categories of Data We Hold About You

We may collect and store various categories of personal data about you in connection with the Scheme. Often this is because you may share certain personal data with us directly upon joining the Scheme or when applying for benefits. However your employer or former employer, our advisers, government agencies and tracing agents will also be a source of this information. Additionally, some of the personal data we hold includes information we have specifically generated, including your benefits and contributions.

The following is a list of the personal data or categories of personal data about you that we may collect, store, use and/or otherwise process:

*Name, addresses, e-mail addresses, telephone numbers, date of birth, gender, marital status (including details of any marriage or civil partnership certificates, decree absolutes or final orders), geographical location, birth/adoption certificate details, National Insurance number, tax information, PAYE details, membership number/individual reference number, bank account details, passport number/ID card number, salary/remuneration, employment history, contracting-out record, period of pensionable service details, data concerning benefits payable to or in respect of a member, death benefit distribution information (such as expression of wish forms), date of joining the Scheme, retirement date, choices you have made in relation to the Scheme, any relevant matters impacting on your benefits (such as AVCs, pension sharing orders, tax protections or other adjustments), and any technical information (IP addresses etc.) where we operate web-based interaction.*

We may hold and process special categories of personal data about you concerning health or sexual orientation.

The circumstances in which we may gather such information could include obtaining data about other people to whom benefits could be payable on your death, such as your partner, spouse or civil partner or circumstances of serious ill health where you may want to take your benefits early or in a different form.

We will only process special categories of personal data with your prior consent, unless we can lawfully process it for another reason permitted by data protection legislation. Where we gather this information, we will explain to you at the time why we need it and how the information will be used.

Where you have given your consent to the processing of your personal data, this can be withdrawn at any time. If you do withdraw consent, this will not affect the lawfulness of any processing that was based on your consent before its withdrawal.

## **5. Third Party Personal Data**

If you provide us with personal data relating to another person, such as your partner, spouse, civil partner or dependants, you should ensure that the individual is aware that you are sharing their personal data with us and that they are happy for you to do so. You should also share this privacy notice with them and ensure that they are aware that they can request a privacy notice by contacting the Trustees using the contact details in section 2 above.

## **6. Why We Hold Personal Data About You**

We collect your data for the primary purpose of operating the Scheme. This involves:

*Communicating with you, dealing with disputes, requests or queries by you or third parties, calculating and paying benefits to you from the Scheme, establishing your eligibility for benefits, calculating and managing contributions, allocating death benefits, transferring your benefits to another scheme, investing pension scheme assets or making investment decisions, managing the Scheme's liabilities, taking steps to reduce risks affecting the security of your benefits, purchasing insurance products including annuities, compliance with contracting-out requirements, compliance with legal obligations and guidance issued by the Pensions Regulator, Scheme audits, demonstrating that duties/requirements have been complied with, monitoring and payment of tax charges, reporting to/providing information required to HMRC, preparing accounts, actuarial valuations and calculations, legal claims, dealing with the sale, merger or reorganisation of the Scheme employers, statistical analysis/government or regulatory surveys (anonymous information given).*

## **7. Legal Basis for Processing**

Each time we process your data for a particular purpose, we must have a legal basis for processing.

We need to process all of the categories of your personal data that we have listed above, primarily to comply with our legal obligations under trust law and statute, to which we are subject as Trustees of the Scheme. However, where processing is not necessary to comply with our legal obligations, we will need to process this personal data nevertheless for the purposes of pursuing the Trustees' and/or a third party's (i.e. the members' or employer's) 'legitimate interests'.

Our 'legitimate interests' are to operate the Scheme effectively, securely, lawfully and efficiently. This allows us to ensure that members and beneficiaries receive the benefits and choices to which they are entitled in accordance with the law and the governing documents of the Scheme and any other options which may be made available to them. It also means we can manage risks in the Scheme and exercise all our powers, duties and discretions in relation to the Scheme.

The Scheme Actuary and First Actuarial hold and use some of your personal data. The lawful reason they hold this data is because they have a legitimate interest in providing actuarial advice and valuations for us. For example, the Scheme Actuary carries out calculations to advise us whether the Scheme has enough money to pay the future benefits promised to its members.

## **8. Change of Purpose**

If we plan to process your personal data for any other purpose other than the purpose(s) for which we collected it, we will update this privacy notice, bringing any changes to your attention.

## **9. Sharing Your Information**

We share or may share your personal data with the following categories of recipients:

*Scheme actuary, Scheme auditor, Scheme employer and their advisors, Scheme administrator, payroll administrator, legal advisers, other Scheme advisers, bank; insurers; data storage providers; a recipient pension scheme on a transfer, any sub-contractors (for example, IT providers, IT helpdesks, shredding companies, tracing services, email archiving services, cybersecurity services), your financial adviser, public authorities, regulators, government bodies and judicial bodies.*

We will only do this to the extent we consider the information is reasonably required.

Many of the third parties with whom we share your personal data are contractually obliged to process your personal data on our documented instructions only – they will be data processors. Certain third parties (for example the Scheme actuary, legal advisers and some other professional advisers) are also subject to legal and regulatory obligations, which will restrict their use of your personal data – they will also be data controllers in so far as their use of your data relates to these obligations. Further information about the parties with whom we share data is available on request from the Trustees.

## **10. Transferring Your Personal Data Outside the UK and the European Economic Area (“EEA”) and Appropriate Safeguards**

We may need to transfer your personal data outside of the UK and the EEA.

If we (or our service providers) process personal data outside of the UK and the EEA, we will take appropriate actions to ensure that your personal data is sufficiently protected in a manner consistent with this privacy notice, and in line with applicable laws. Those actions include confirming that they are based in countries which have been deemed, by the UK, to have sufficient levels of data protection, or entering into approved standard contractual arrangements with them and/or ensuring that appropriate safeguards with respect to the protection of personal data are in place.

You can request further details about these measures from our Scheme administrator, using the contact details at the beginning of this document.

## **11. How We Keep Your Data Secure**

We are committed to protecting your personal data from loss, misuse, disclosure, alteration, unauthorised access and destruction and to keeping your data secure. We take all reasonable precautions to safeguard the confidentiality of your personal data.

We have strict procedures and security features to prevent unauthorised access of your personal data.

We also take steps to ensure that any third parties with whom we share your personal data keep your personal data secure.

## 12. How Long We Will Hold Your Data For

Your personal data will only be kept for the purpose of the operation of the Scheme. Therefore, this is likely to be held for the duration of the lifetime of the Scheme.

If you cease being a member because you die, we may continue to hold your personal data for the purpose of distributing survivor's benefits to your partner/spouse/civil partner, dependants or other beneficiaries.

Additionally, we may keep your personal data for a period of at least six years for the purpose of defending or establishing a legal claim or exercising our legal rights - for example, to record that you transferred out of the Scheme.

The Scheme Actuary and the Actuarial Advisers keep a copy of the information. Should we change our Scheme Actuary or Actuarial Advisers, First Actuarial may retain a copy of the data in line with their data retention policy, which is currently for a minimum of one year and a maximum of seven years.

In any event, we will not keep your personal data for longer than we need to.

## 13. Your Rights Regarding Your Personal Data

You have certain rights in relation to your personal data. These rights will not apply in all circumstances, so for example, certain rights, such as the right to erasure; will not apply where we need to process personal data to comply with our legal obligations.

However, under certain circumstances, by law, you have the following rights:

**Access request** – request access to personal data that we hold about you

**Correction** – request that we correct any incomplete or incorrect personal data about you

**Erasure** – request that we delete or remove personal data that we hold about you where there is no good reason for us to continue to process it.

**Restriction** – request that we restrict the way your personal data is processed

**Objection** – if we are processing your personal data because it is in our legitimate interests, you can object to this processing on grounds relating to your particular situation.

**Transfer** – request that your personal information is transferred to a third party

If you want to exercise any of these rights, please contact the Scheme administrator using the contact details provided at the beginning of the document, providing sufficient detail.

## 14. Changes to This Privacy Notice

We may amend this privacy notice from time to time, as appropriate. We will notify you of any changes.

## 15. Further Questions or Any Complaints

If you have any questions regarding anything detailed in this document or wish to make a complaint, please contact the Trustees using the details provided in section 2 above.

You may also make a complaint to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues, using the following link: <https://ico.org.uk/concerns/>