

## University of Stirling Pension Scheme ("the Scheme") Privacy Notice

This Privacy Notice has been produced to explain how the Trustees of the University of Stirling Pension Scheme (**we**) obtain, use and protect any personal information that you provide to us, or that is obtained by us and which relates to you or anyone connected to you. It sets out how the Trustees comply with their obligations under the retained EU law version of the General Data Protection Regulation (UK GDPR).

Under UK GDPR the Trustees are "Data Controllers". This means that we decide how and why your data is used. As Data Controllers, the Trustees collect and process your personal data for the purposes of complying with their **legal obligations** to administer the Scheme and for the other **legitimate interests** relating to the operation of the scheme.

- **Legal obligation** – the Trustees must provide benefits to members in line with the Scheme rules and any other legal requirements. Personal data needs to be processed in order to comply with these legal obligations. Where necessary, personal data will also be processed to comply with the Trustees' statutory obligations to prevent and detect crime, such as fraud and pensions liberation, and to make disclosures to the courts and law enforcement agencies.
- **Legitimate interest** – the Trustees have a legitimate interest in ensuring that the Scheme is run diligently and efficiently and this may require the Trustees to carry out data processing for various purposes, including communicating with members, liaising with the employer, making investments on behalf of the Scheme, entering contracts and arranging products on behalf of the Scheme and monitoring the composition of the Scheme's membership on an ongoing basis.

Where the Trustees are required to process special category member data (such as health information) your consent will usually be sought prior to this. If consent is provided for the processing of members' special category data, this consent can be withdrawn at any time.

The Scheme Actuary is also a "Data Controller" for the purposes of data protection regulations. The Scheme Actuary has a legal obligation to safeguard your personal data when collecting and processing this.

### What is personal data?

This is information that could be used to identify you as an individual. So things like National Insurance Number, date of birth, gender, marital status, length of employment, home address and bank details are all examples of personal data. We may also hold information about your dependants.

We may also hold information about your spouse, your dependants or other potential beneficiaries.

### Who has access to my data?

The Trustees may share personal data with various entities where this is necessary to administer the Scheme effectively. For example;

- **The administrator** who looks after your member records, and calculates your pension benefits is the organisation that holds complete records of all members of the scheme.
- **The Scheme Actuary** needs access to some of that data in order to assess how well funded the Scheme is and sometimes in order to assist in calculating benefits.
- **The Scheme Auditor** will see limited amounts of personal data in order to ensure that the scheme's finances are in order and the correct benefits are being paid out.
- **The Scheme's legal advisor** may need to be consulted on individual cases.
- If you are a pensioner we have to provide information to **His Majesty's Revenue and Customs** (HMRC) so that they know what tax has been deducted from your pension.

We may also share your data with your employer where this would assist our shared legitimate interests of running the Scheme efficiently and effectively. This may include making additional benefit options available to members, such as pension increase exchange exercises and enhanced transfer value exercises.

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 will also check to make sure that they are confident that your data will be secure. A full list of the organisations that we share your data with is available on request (from the address shown at the end of this notice). Where these organisations are data controllers a copy of their Privacy Notice is available to you on request.

Where we have information in relation to proposed beneficiaries, who may become eligible to a benefit on a members death, we will advise the individual of their data protection rights if we are considering if a benefit is payable to that individual.

### **What will you do with my personal data?**

The reason we hold individual member records that contain personal data is 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' advisers will need access to that 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 also hold personal data for general Scheme administration purposes. This may include carrying out actuarial valuations and calculations, establishing eligibility for benefits, arranging and implementing insurance policies and other products for the Scheme and ensuring compliance with HMRC and other regulatory obligations imposed on the Scheme. Your data may also be processed for the purpose of deciding and advising on investments for the Scheme and responding to future queries and disputes that you or a third party may raise, including in relation to historic issues.

### **How long will you keep my data?**

We will need to hold personal data for many years, probably until long after your own death and 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 Pension Scheme. 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 in line with that held by HMRC.

The Trustees will hold personal data for as long as this is necessary in order to satisfy the Trustees' legal obligations and ensure that any future queries or complaints can be dealt with accordingly.

The Trustees carry out regular reviews of the data retention policy, including the retention period for personal data.

### **Where do you store my data?**

The data we hold in respect of you will usually be stored inside the UK or the European Economic Area (EEA). If your data will be stored outside the UK, we will inform you of this and set out the safeguards applied to ensure the secure treatment of your data.

If you live or work outside of the UK we may be required to transfer your data to a jurisdiction outside the UK. In the event of this, we will take all necessary precaution to ensure the secure treatment of your data.

### **What rights do I have?**

You already have the right to see your own pension scheme record, (this is known as a Subject Access Request) and you can require that we rectify any errors in data that we hold about you. In addition, you may (under certain circumstances) have the right to be forgotten, to have your personal information deleted and to object to or restrict the processing of your data. However, as far as the pension scheme is concerned, without your personal information the administrator would not be able to calculate your benefits.

For pension schemes there are legal and valid reasons why your data is kept and used for all the purposes associated with managing the 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 information about your health) then you have a right to withdraw that consent at any time. However, if we

do not hold all of the data to administer your benefits, we may not be able to pay out the benefits you are entitled to.

You also have the right of data portability, which allows you to obtain and reuse your data for your own purposes.

### What if I have a complaint?

You have the right to complain directly to us if you believe that we have not handled your personal data in accordance with data protection law. This includes concerns about how your personal data has been collected, used, stored, shared, kept accurate, or protected.

You may raise a data protection complaint with us by writing to the Trustees (see **Contact details**) below. You do not need to use specific wording or refer to legislation when making your complaint. If it is clear that your concern relates to how we have handled your personal data, we will treat it as a data protection complaint.

Once we receive your data protection complaint, we will acknowledge receipt of your complaint within 30 days of receiving it.

After acknowledging your complaint, we will take appropriate steps to respond without undue delay. This includes making appropriate enquiries to understand the issues raised, reviewing relevant information, and keeping you informed about the progress of your complaint while it is being considered.

Once we have completed our consideration of your complaint, we will inform you of the outcome without undue delay. Our response will explain the outcome of our assessment and any steps we have taken or propose to take as a result.

If you are not satisfied with how we have handled your data protection complaint, you have the right to raise your concerns with the Information Commissioner's Office (ICO). The ICO generally expects individuals to raise their complaint with us first before contacting the ICO.

You can contact the ICO at the address below:

Information Commissioner's Office

Wycliffe House, Water Lane, Cheshire, SK9 5AF

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

You can also contact the ICO via their website: <https://ico.org.uk/>

### Contact details

If you have a question the Trustee can be contacted via the Scheme Administrators;

XPS Group

7<sup>th</sup> Floor, Montgomery House, 29-31 Montgomery Street, Belfast, BT1 4NX

Tel: 028 9032 8282

Email: [stirling@xpsgroup.com](mailto:stirling@xpsgroup.com)