

## Unite Pension Scheme (the Scheme)

### Privacy notice

#### What is the purpose of this document?

This notice explains how Unite Pension Scheme Trustee Limited, the Trustee of the Scheme, uses and protects the personal information that it holds about members and other beneficiaries of the Scheme. Contact details for the Trustee are set out at the end of this notice. The Trustee directors change from time to time, but you can find out the names of the current directors by using the contact details at the end of this notice.

The Trustee is a "controller" for the purposes of the data protection laws. New data protection laws came into effect on 25 May 2018 (also known as the General Data Protection Regulation or GDPR). We refer to the new data protection laws as the "Data Protection Laws" in this privacy notice.

In addition, the Trustee's appointed Scheme Actuary (Hilary Salt of First Actuarial LLP), our actuarial advisers and defined contribution consultancy providers (First Actuarial LLP) act as a joint data controller for the personal data that they use. This privacy notice also covers these joint data controllers (and any other joint data controllers with the Trustee).

You should share this notice with your family and dependants where you have provided us with personal information about them.

#### What is personal information?

Personal information broadly means information that identifies (or which could, with other information that we hold or are likely to hold, identify) a living individual.

This includes any information provided to us in relation to your actual or potential membership of the Scheme by, or on behalf of you, your employer or HM Revenue & Customs.

#### What types of personal information might we hold about you?

We will collect and process the information about you that you provide by filling in forms and by corresponding with us and our service providers by telephone, email or otherwise. We will also collect and process information about you that is provided to us by your employer or by HM Revenue & Customs. We may also collect some limited information when you use the Scheme website.

We may hold and process any or all the following personal information about you:

- personal details such as your name, gender, age, date of birth, contact details (e.g. your address and postcode, email, telephone and mobile numbers), and

identifiers such as your National Insurance number, pension or member reference number and employee number (where applicable);

- details of your family, lifestyle and social circumstances. This could include details about your current marriage or civil partnership, any previous relationships and details of your family and dependants;
- employment details such as your earnings, length of service, employment and career history, recruitment and termination details, attendance record, job title and job responsibilities;
- other financial details such as income, salary, assets and investments, bank account details (e.g. to process pension payments), benefits, grants and insurance details;
- a description of your physical or mental health (where there is a legal basis for the processing of such data under the Data Protection Laws – see below);
- information about criminal convictions if these relate to money owed to your employer in circumstances where it is entitled to be reimbursed from your benefits; and
- we may collect information about how the website is used. Our cookie policy is available on the website at <https://www.unitepensions.org/Home/CookiePolicy>.
- we may collect personal information which you choose to enter in order to use the online retirement modeller. However this information is not retained.

### **Why do we hold this information?**

We hold this information because we need it to administer the Scheme. Without your personal information, we cannot provide you and your dependants with the correct benefits, at the right time. For example, we may need this information to verify your membership of the Scheme, to calculate your pension or to assess whether you are entitled to a specific benefit or how the tax rules apply to you.

We use unique identifier information, such as your National Insurance number, pension or member reference number and employee number (where applicable) for the purposes of sending communications to you and verifying your identity.

In some instances, we may need to hold and process information relating to your physical or mental health, for example if you are applying for a pension on grounds of ill-health. We will ask for your explicit consent to this, unless there is an alternative legal basis for processing this information under the Data Protection Laws. Once you have given your consent, you can withdraw it at any time by writing to us using the contact details below.

The Scheme Actuary and First Actuarial LLP also 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, and advising on ongoing governance. 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. You

may obtain further information on their role and use of data at:  
<https://privacy.firstactuarial.co.uk>

### **Using your information in accordance with Data Protection Laws**

Data Protection Laws require us to meet certain conditions before we are allowed to use your personal information in the way described in this privacy notice.

We rely on a condition that allows us to use your personal information to comply with our legal obligations in relation to the Scheme. We also rely on a condition known as 'legitimate interests' in order to use this information in the way described in this privacy notice. We have legitimate interests to collecting and processing your personal information as we need this to administer the Scheme and provide benefits for your and your dependants.

We will keep the amount of personal information collected and the extent of any processing to a minimum.

We will only process 'sensitive' or 'special categories' of personal information under the Data Protection Laws (e.g. information about your health), where you have explicitly consented or where there is an alternative legal basis for processing this information under the Data Protection Laws. This may mean that you will be asked to sign consent forms in the future. If you don't consent to our processing this information when asked to do so, it may mean that we are unable to pay benefits to you or your dependants. Once you have given your consent, you can withdraw it at any time by writing to us using the contact details below.

We will only process information about criminal convictions if these relate to money owed to your employer in circumstances where they are entitled to be reimbursed from your benefits and either you consent to this or the processing is necessary for the exercise of a legal claim.

## What do we do with the information?

We may use your personal information for a number of purposes relating to the administration of the Scheme, including the following:

- to calculate and pay benefits. This includes providing you with details of your benefits and options under the Scheme, including the online retirement modeller, and dealing with any queries that you have about these;
- to carry out our obligations arising from any agreement that we have with, or concerning, you and to provide you with the information, benefits and services that you request from us;
- to notify you about services provided to members of the Scheme and any changes to those services or to enable you to access those services;
- for statistical, financial modelling and reference purposes;
- for internal record keeping;
- for risk management purposes, including the insurance or management of longevity risks and related demographic risks;
- complying with our legal obligations, any relevant industry or professional rules and regulations or any applicable voluntary codes;
- complying with demands or requests made by any relevant regulators, government departments and law enforcement or tax authorities or in connection with any disputes or litigation;
- in connection with any merger, disposal, reorganisation or similar change in Unite the Union's activities.

## How long do we keep your information for?

We will hold your personal information on our systems for as long as is necessary for the Scheme to provide benefits to you or your dependants.

So, for example, if your pension is paid from the Scheme when you retire, we will hold your information for the rest of your life, until your pension ceases on your death. If a pension is payable to any of your dependants after your death, we will continue to hold your information until their pensions cease. We will also continue to hold your information for a further period of at least 6 years after all benefits payable to you and your dependants have ceased, in case there are any further queries about your membership of the Scheme.

If a pension is not paid from the Scheme when you retire (e.g. because you transfer your benefits to another pension arrangement), we will hold your information for as long as you are a member of the Scheme, and for a period of at least 6 years after you cease to be a member, in case any further queries arise about your membership of the Scheme.

The Scheme Actuary and First Actuarial LLP also keep a copy of the information. Should we change our Scheme Actuary, actuarial advisers or defined contribution

consultancy providers, First Actuarial LLP will 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.

Any personal information input into the online retirement modeller is not retained.

### **Who do we share the information with?**

We share your information with the Scheme's administrator, which is currently First Actuarial LLP.

Where required for the purposes of administering the Scheme, we may also share your information with:

- the Scheme's service providers, professional advisers and auditors. This includes the Scheme actuary (who is currently Hilary Salt) and her employer First Actuarial LLP, the firm that provides actuarial, consultancy and administration services to the Trustee;
- the Scheme's legal advisers (Pinsent Masons LLP) and auditors (BDO LLP). These organisations use this information when advising the Trustee and carrying out their respective professional obligations;
- the Scheme's investment advisers (Aon Hewitt Limited), insurers (and brokers), investment managers, banks and other organisations which advise the Trustee;
- any financial adviser or other organisation appointed by the Trustee or Unite the Union to advise you about your options under the Scheme or any adviser appointed by you where you have asked us to provide them with details of your benefits under the Scheme;
- any other person who is authorised to act on your behalf;
- regulators, government departments, law enforcement and tax authorities;
- any relevant ombudsman, dispute resolution body or the courts; and
- persons in connection with any merger, disposal, reorganisation or similar change in Unite the Union's activities.

The entities listed above may also share personal data with their own business suppliers, for example in relation to the operation of IT systems or where they outsource part of their services.

Some of these entities may also be data controllers under the Data Protection Laws (as highlighted at the start, the Scheme Actuary and First Actuarial LLP are). However, in the first instance you should contact the Trustee using the contact details below if you have any queries about how they use your personal information.

Please note that some of the Scheme's former service providers may continue to hold information about you for their own record keeping purposes once they have ceased to be involved with the Scheme.

## **Where we store your personal data**

The data that we collect from you will usually be stored inside the UK or the European Economic Area (EEA).

However, if you live or work outside of the UK or the EEA, we may need to transfer your personal data outside of the UK or the EEA to respond to any queries that you may have. Where this applies, we will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this privacy notice.

Data may also be transferred outside the UK or the EEA where the Scheme's service providers host data outside the UK or the EEA. These will be governed by the Data Protection Laws.

## **Your rights in relation to your personal information**

The accuracy of the information that we hold about you is important to us. If any of the information that we hold is inaccurate or out of date, please let us know using the contact details set out at the end of this notice.

You have a number of rights under the Data Protection Laws in relation to the way we process your personal data, namely:

- to access your data;
- to have your data rectified if it is inaccurate or incomplete;
- in certain circumstances, to have your data deleted or removed;
- in certain circumstances, to restrict the processing of your data; and
- to claim compensation for damages caused by a breach of the Data Protection Laws.

If you wish to exercise any of these rights, please contact Alex Ryan at Unite the Union, 128 Theobalds Road, Holborn, London WC1X 8TN.

We will aim to respond to any request received from you within one month from your request. Access to your data will usually be provided free of charge, although in certain circumstances we may make a small charge where entitled to do so under the Data Protection Laws.

Please note that we may be unable to delete or remove your data whilst we still need this to administer the Scheme – see the section 'How long do we keep information for?' above.

## **Any complaints?**

If you are not happy with the way in which your personal information is held or processed, please contact us using the details below. You also have the right to complain about data protection matters to the Information Commissioner's Office (ICO).



The ICO is the UK's independent body set up to uphold information rights. You can find out more about the ICO on its website (<https://ico.org.uk>). The ICO can be contacted by calling 0303 123 1113.

### **Changes to this privacy notice**

This privacy notice is current as at September 2020.

We keep our privacy notice under regular review, and may change it at any time. We will tell you about any significant changes.

### **Contact us**

For queries on data protection, please contact: Alex Ryan at Unite the Union, 128 Theobald's Road, Holborn, London, WC1X 8TN

If you have any other questions about the Scheme, please contact: Chris Marson at First Actuarial LLP, Trafford House, Chester Road, Manchester, M32 0RS

**September 2020**