

Interserve Pension Scheme (the “Scheme”)

Data Privacy Notice

Introduction

The UK General Data Protection Regulations (“GDPR”) affect how your personal data is collected, stored and processed. In summary, this legislation puts in place defined rules regarding how your personal data is used.

It also enhances your rights to include the following:

- The right to request access to all the personal data held about you.
- The right to request that your personal data is updated to be complete and accurate.
- The right to request that your personal data is deleted when there is no compelling reason for its continued use.
- The right to object to the processing of your personal data.

As a Data Controller, the Trustee is required to provide this notice to inform you how it uses your personal information. It is important that you read this notice and share it with anyone else who is connected to the Scheme. A glossary of the terms used in this notice can be found on page 4.

What is personal data?

Personal data means any information that can identify you, such as your name, address, e-mail address, telephone number or National Insurance number. Any references to “information” or “data” in this policy refers to personal data about members of the Scheme. You are a member of the Scheme if:

- You are actively contributing to the Scheme.
- You have benefits built up under the Scheme but are no longer paying contributions to the Scheme or you are no longer employed by Interserve or one of its former subsidiaries.
- You are in receipt of benefits from the Scheme, either because you have personally built up those benefits or because you are receiving benefits as a result of the death of an individual who built up benefits in the Scheme.

What information does the Trustee hold?

The Trustee may collect and process the following information about you:

- Name
- Address
- Contact details
- Date of birth
- Gender
- Family details
- Beneficiary details
- National Insurance number
- Bank details

In addition, it may from time to time be necessary to collect and process information about your health.

Where does the Trustee get your information from?

The Trustee collects information directly from you when you fill in forms or contact it either by phone, by e-mail or in writing to request information about your benefits. A failure to provide some or all of this information may affect the ability of the Trustee to administer your benefits under the Scheme.

The Trustee also collects or receives information about you from other sources. For example, the Trustee may receive information from your employer or from any other third party that you have authorised to contact the Trustee on your behalf, such as a financial adviser.

How does the Trustee use your information?

The Trustee uses the information that it holds about you:

- To calculate and settle the benefits due to you or any of your beneficiaries as a result of your membership of the Scheme.
- To obtain insurance for certain benefits provided under the Scheme.
- To inform you of changes to the Scheme or legislation and how this might affect you or your benefits.
- To comply with any legal or regulatory requirements (including “know your customer” checks or to comply with regulatory reporting or disclosure requirements).
- To determine the funding position of the Scheme.
- To assist those companies which remain linked to the Scheme in running their business in an efficient and proper way.
- For any other purpose that it has agreed with you from time to time.

Does the Trustee have a legal basis for using your information?

The GDPR requires the Trustee to meet certain conditions before it is allowed to use your information as described in this notice. The Trustee will rely on the following conditions depending on what information it is using and the purpose for using it:

- Legal obligations - The Trustee has to comply with a variety of legal and statutory obligations which require it to process your information. For example the Trustee has an obligation under Trust Law to exercise discretionary powers as set out in the Rules of the Scheme. In addition, at the request of members, the Trustee has a statutory obligation to provide certain information, e.g. cash equivalent transfer valuations.

- Consent - From time to time the Trustee may be required to use “sensitive personal” information, e.g. medical and health information. This information will only be used for the purposes of determining eligibility for benefits and for processing claims. Generally, the Trustee will seek your consent before collecting this information, particularly where the information is being provided by a third party, e.g. a general practitioner or medical adviser.
- Legitimate interests - To use your information for any other purpose described in this notice, the Trustee will rely on a condition known as “legitimate interests”. This means that the Trustee will collect and process your information where it has a legitimate interest that supports the effective administration of the Scheme and enables it to pay your benefits accurately and in accordance with the Rules of the Scheme. The Trustee will not use your information for its legitimate interests if they are overridden by your interests, rights or freedoms.

How long will the Trustee keep your data for?

One of the principles of the GDPR is that the information the Trustee holds and uses must be proportionate, relevant and limited to what is necessary for the purpose it was originally collected for. The Trustee will therefore keep your information in accordance with its data retention policies. There are minimum retention periods required by law or regulation. However, as pensions are a long term savings vehicle, it is likely that the Trustee will keep your information for the remainder of your life and the life of any dependants in order to pay the benefits to which you or your dependants are entitled. The Trustee will continue to keep its data retention policies under review.

Who does the Trustee share your information with?

Your information is largely processed within the Tilbury Douglas Group Pensions Department. The information is processed to ensure that the Scheme is run to a high standard, and so that the Trustee can provide payment of benefits to you or your beneficiaries.

The Trustee will however share your data with third parties for the purposes listed in the “How does the Trustee use your information” section. These third parties include your employer, government and regulatory bodies, professional advisers, other third party suppliers appointed by the Trustee and any other third party that you have authorised to contact the Trustee on your behalf.

Where the Trustee shares your information with a third party, it will ensure that it only shares information which is necessary for the required purpose. In addition, the Trustee will ensure there are appropriate levels of security to maintain appropriate levels of protection for your information.

In any situation where your information is required to be shared with an organisation based outside the UK or European Economic Area, the Trustee will ensure that this organisation is compliant with the GDPR rules on international transfers.

Are any of these third parties also considered to be Data Controllers?

Yes. A number of third parties are considered to be joint Data Controllers alongside the Trustee. For example the Scheme Actuary, Bob Scott of Lane Clark & Peacock LLP, is also a Data Controller in respect of your personal data that he uses to carry out his functions. For further information please see <https://www.lcp.uk.com/privacy-policy>.

We may also disclose your personal data to insurance companies, if we decide to insure any of the benefits provided from the Scheme. For example, the benefits payable to some members of the Scheme are covered by insurance policies issued by Aviva. In this role, Aviva is a data controller. For more information about what personal data they hold about members and how they use it, please see <https://www.aviva.co.uk/services/about-our-business/products-and-services/privacy-policy/retirement-privacy-policy>.

What rights do you have?

You have a number of rights under the GDPR that relate to the way the Trustee processes your information. These are summarised below but more information can be obtained from the website of the Information Commissioner's Office.

You have the right to:

- Access the personal data that the Trustee holds about you.
- Ask the Trustee to correct any inaccurate personal data that it holds about you.
- Ask the Trustee to erase any personal data that it holds about you. This right will only apply where, for example, the Trustee no longer needs to use the personal data to achieve the purpose it was collected for.
- Restrict the Trustee's processing of the personal data that it holds about you. This right will only apply where, for example, you dispute the accuracy of the personal data held by the Trustee.
- Object to the Trustee's processing of the personal data it holds about you.
- Receive the personal data, which you have provided to the Trustee, in a structured and commonly used electronic format.
- Ask the Trustee to transmit the personal data which you have provided to the Trustee, to another organisation.
- Withdraw your consent where the Trustee is relying on that consent to use your personal data.

Contacts and complaints

If you have any questions about this privacy notice or you wish to exercise any of your rights, please contact the Scheme Secretary at Interserve Trustees Limited, Arena Business Centre - 2F26, 100 Berkshire Place, Winnersh, Wokingham, RG41 5RD.

If you have any concerns about the way the Trustee processes your personal data, or are not happy with the way the Trustee has handled a request by you in relation to your rights, you have the right to make a complaint. Your complaint can be raised with the Trustee in the first instance, in line with its Data Protection Complaints Procedure or via the contact details provided at the top of this notice. If you are not satisfied with the response from the Trustee, you also have the right to complain to the Information Commissioner's Office. Their address is First Contact Team, Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, SK9 5AF. You can also submit a complaint online via: <https://ico.org.uk/make-a-complaint/data-protection-complaints/>

Glossary

Personal data

Personal data is any form of information that relates to a living person who can be directly or indirectly identified, in particular, by reference to an identifier.

Examples of this include name, National Insurance number and address data.

Sensitive personal data

Sensitive personal data is personal data that could potentially be used to justify a bias against an individual. This data is required to be stored and processed with high levels of security to ensure that the data is not compromised.

Examples of this include ethnicity, sexuality, medical information and political affiliation.

Data Controller

A Data Controller is an individual or organisation that determines for what purposes and in what manner any personal data is processed.

Data Processor

A Data Processor is an individual or organisation that processes any form of personal data on behalf of a Data Controller.

Data processing

In relation to personal data, processing refers to the obtaining, recording or holding of personal data. It also refers to any of the following actions:

- Organisation, adaptation or alteration of personal data.
- Retrieval, consultation or use of personal data.
- Disclosure of personal data by transmission, dissemination or otherwise making available.
- Blocking, erasing, destroying or combining of personal data.