

**The Napier Brown Retirement Benefits Plan
Privacy Notice**

The Napier Brown Retirement Benefits Plan

Privacy notice for schemes in PPF assessment

There are a number of parties who require access to your personal data during the Scheme's PPF assessment period. These include the Trustee, the PPF, the Actuary, the Scheme auditor and the Scheme lawyer. They are each data controllers of your personal data and are collectively referred to in this privacy notice as 'we' or 'us'.

This privacy notice has been issued by the Trustee on behalf of all of these data controllers to provide a clear picture of how personal data is managed within a PPF assessment period.

It describes what personal data we collect about you and other people whose personal data may be provided to us in connection with your Scheme membership.

This privacy notice also describes how we process (i.e. handle) your personal data, the basis upon which we process it, with whom it is shared, how it is stored and certain other important information relating to the protection of your personal data.

Please read this privacy notice carefully as it contains important information.

What personal data do we collect about you and how?

Personal data is collected about you during the Scheme's PPF assessment period in a number of different ways:

- you may share information with us (for example, when you respond to letters seeking confirmation of your personal data or when you apply for benefits from the Scheme);
- we may collect certain personal data from third parties (for example, your current or former employer, the former trustee of the Scheme or the former Scheme administrators);
- we may also generate certain personal data in the running of the Scheme (for example, information relating to your benefits).

Your personal data is also collected from the following third parties:

- your current or former employer;

- any financial or other adviser or representative acting on your behalf;
- providers of services that allow us to verify the accuracy of your personal data (for example, to trace your current address or to verify your continuing existence); and
- government agencies (for example, HM Revenue and Customs or the National Insurance Contributions Office).

In certain circumstances, we may ask you for information relating to your health; for example, if you are applying for ill health benefits. We will only ask for as much health information as we need. In some circumstances, your doctor may also provide medical information. We will explain to you at the time why we need that information and how we intend to use it. When we need to, we will ask for your consent to use your health information. There are some cases in which we do not need your consent to use your health information; in those cases, we will still explain to you how we intend to use it.

You may also need to provide us with personal data relating to other people (for example, your spouse, civil partner or dependants). When you do so, you will need to check with them that they are happy for you to share their personal data with us and for us to use it in accordance with this privacy notice.

How do we use your personal data?

The Trustee primarily uses your personal data for the purposes of operating the Scheme during the Scheme's PPF assessment period; for example, to calculate and pay your benefits, to communicate with you and to make decisions about you and your entitlements and to assess whether the PPF will take on the Scheme.

The Trustee will also use your personal data for the purposes of complying with any laws, procedures and regulations which apply to them and to establish, exercise or defend their legal rights. This will include transferring your personal data at the end of the Scheme's PPF assessment period to either the PPF or an insurance company if the PPF is not required to take on the Scheme.

The PPF may use your personal data for the purpose of assessing whether the Scheme is eligible to transfer to the PPF, to make sure that you receive the correct PPF compensation if the Scheme does transfer to the PPF at the end of the assessment period and for other purposes connected with its functions. Further details about how the PPF may use your

personal data are set out in the Appendix to this notice.

The Actuary, the Scheme auditor and the Scheme lawyer may use your personal data for the purpose of advising the Trustee on the management of the Scheme during the PPF assessment period.

The Trustee and the Actuary may occasionally use your personal data for the purposes of statistical analysis or to respond to government surveys (for example, compulsory questionnaires sent to us by the Pensions Regulator or the Office of National Statistics) but this is usually completed on an anonymous basis.

If we wish to use your personal data for any other purpose, we will update this privacy notice.

What is our lawful basis for using your personal data?

Under laws which are designed to protect your personal data, we need to have what is called a lawful basis each time we use, share or otherwise process your personal data.

The Trustee has certain legal duties and powers which are conferred on them by overriding law or by the Scheme's governing documents. In most cases, the Trustee's processing of your personal data is necessary for the performance of those duties and exercise of those powers.

Certain uses of your personal data, or other processing activities, will not be strictly necessary to perform the Trustee's legal duties, or to exercise their powers; however, they will be necessary for the purposes of their legitimate interests or the legitimate interests of a third party. They may also be in your interests.

When we say "legitimate interests", we mean the Trustee's (or a third party's) interests in operating the Scheme as efficiently and securely as possible. For example, we may choose to use a third party to store your personal data; we may do this in part because our use of that service means that your personal data is more secure.

The processing of your personal data is necessary for the PPF to assess whether the Scheme is eligible to transfer to the PPF and whether you are eligible to be paid PPF compensation. These are tasks which the PPF carries out in accordance with its legal

obligations under the Pensions Act 2004 and which are in the public interest.

The Actuary, the Scheme auditor and Scheme lawyer may use your personal data to advise the Trustee on the management of the Scheme during the PPF assessment period. This advice helps to ensure the Trustee is able to meet their obligations referred to above and is necessary to comply with obligations placed on the Actuary, Scheme auditor and Scheme lawyer by legislation, including the Pensions Act 2004.

In certain circumstances, we will need your consent to collect and use your personal data; this is most likely where we are collecting information relating to your health (for example, in applying for ill health benefits) or where we obtain information that may reveal your racial or ethnic origin, religious or similar beliefs, sex life or sexual orientation for the payment of death benefits (for example, an expression of wishes form or an application for pension sharing on divorce or dissolution of civil partnership). If we have asked for your consent, you may withdraw your consent at any time.

In what circumstances do we share your personal data?

Your personal data will be shared with one or more of the following categories of third parties:

- the Trustee;
- your current or former employer - for the purposes of operating the Scheme;
- the Scheme administrator – the Trustee and the PPF delegate some of their duties to the Scheme administrator; they are effectively responsible for the day-to-day running of the Scheme;
- the Actuary – this is an actuary that is personally appointed to the Scheme to provide us with advice on the funding of the Scheme. The actuary will be supported by an actuarial team who will also have access to your personal data;
- our insurers (if relevant) – they provide insurance cover for the payment of death benefits and / or provide annuity policies securing the Scheme benefits;
- our investment managers and AVC providers – they invest the Scheme assets on our behalf

- the Scheme auditor – they prepare the Scheme's annual accounts and audit them for us;
- the Scheme lawyer – they advise us on all legal issues affecting the Scheme;
- our payroll agents (if relevant) – they arrange payment of pensions;
- our indemnity insurers;
- any staff we employ and other companies that provide services to us (or to the Scheme administrators), such as communications consultants, printers, suppliers of data cleansing, verification and tracing services and information technology systems suppliers and support, including providers of data storage, email archiving, back-up and disaster recovery and cyber security services;
- government agencies in connection with contracted-out benefits (for example, HM Revenue and Customs and the National Insurance Contributions Office);
- the PPF – for it to assess whether the Scheme is eligible for transfer to the PPF and, if it is, to ensure that members and beneficiaries receive the correct PPF compensation once the Scheme has transferred to the PPF; and
- insurance companies (if the PPF is not required to take on the Scheme) – for them to assess whether they can provide benefits for you.

Details of all of the main advisers to the Scheme are available in the Scheme's annual report and accounts which are available on request by writing to us.

Your personal data will also be disclosed to third parties:

- if we are under a duty to disclose or share your personal data in order to comply with any legal obligation, or any lawful request from any legal or regulatory authority; or
- to respond to any claims, and to establish, exercise or defend our legal rights.

Most third parties with whom we share your personal data are limited (by law and by contract) in their ability to use your personal data for the specific purposes identified by us.

Certain third parties (most notably, the PPF, the Actuary and other professional advisers) are themselves subject to certain legal or

regulatory obligations (including professional codes of practice). They will be responsible for their own processing of personal data to the extent that processing is subject to, or relates to, those obligations.

We will always ensure that any third parties with whom we share your personal data are subject to privacy and security obligations consistent with this privacy notice and applicable laws.

Do we transfer your personal data outside the UK and the EEA?

In certain circumstances, your personal data may be processed 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 measures to ensure that your personal data is adequately protected in a manner which is consistent with this privacy notice and in accordance with applicable laws.

Further details on the steps we take to protect your personal data in these cases are available on request by writing to us.

How long do we retain your personal data?

We keep your personal data for no longer than is necessary for the purposes set out above.

The Trustee is required by the PPF to keep (or ask the Scheme administrators to keep on our behalf) your personal data for a period of two years from the date that the Scheme has either transferred to the PPF or, to an insurance company, if the PPF is not required to take on the Scheme.

What are your rights in relation to your personal data?

You have certain rights in relation to your personal data; those rights will not necessarily apply in all cases or to all personal data which is processed by us. For example, certain rights will not apply where we need to process personal data to comply with our legal duties.

You have the right to request that we:

- provide you with a copy of any personal data which we hold about you;
- update any of your personal data which is out of date or incorrect;
- delete any personal data which we hold about you, although in these circumstances it would be difficult to

provide you with continued Scheme membership;

- restrict the way that we process your personal data;
- consider any valid objections which you have to our use of your personal data; or
- provide your personal data to a third party provider of services.

We will consider all such requests (including whether they apply in a particular case) and provide our response within 30 days of receipt of your request, unless the request is particularly complex or numerous. In this case we would let you know that we have received your request and when we expect to respond.

When you make a request, we may ask you to provide us with some further information to allow us to confirm your identity.

How do we keep your personal data secure?

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

Although we make every effort to protect the personal data which you provide to us, the transmission of information over the internet is not completely secure. As such, you acknowledge that we cannot guarantee the security of personal data transmitted to us over the internet, and that any such transmission is at your own risk.

Once we have received your personal data, we will use strict procedures and security features to prevent unauthorised access (and take steps to ensure that any third parties with whom we share your personal data do the same).

Changes to this privacy notice

We may amend this privacy notice from time to time. Any changes we make to our privacy notice in the future will be notified to you in the next communication from us to you.

Further questions or making a complaint

If you have any queries or complaints about how we handle your personal data, or if you wish to exercise any of your rights in relation to your personal data, please write to the Trustee or the PPF in the first instance using the contact details set out below.

We will investigate and attempt to resolve any such complaint or dispute regarding the use or disclosure of your personal data.

If you are not satisfied with our response, you may also make a complaint to the UK Information Commissioner's Office (<https://ico.org.uk/>), the UK's data protection regulator.

Personal data we process

We may collect and use the following types of personal data about you and, in some circumstances, your spouse, civil partner, partner or dependants:

- name(s);
- national insurance number;
- gender and date of birth;
- home address, telephone number and personal e-mail address;
- marital status, next of kin and family / dependants;
- dates on which you joined and left pensionable service;
- your salary information;
- information relating to your health (for example, if you request ill health benefits);
- information relating to any pension sharing or earmarking order (if your marriage or civil partnership ends);
- information about pension benefits you have accrued, investment choices and death benefit nomination forms;
- tax information including your income tax band and any protections that you may have in relation to your pension benefits;
- your bank account details.

Defined terms

In this privacy notice, the following terms have the following meanings:

Data controllers, us, we or our means collectively the Trustee, the PPF, the Actuary, the Scheme auditor and the Scheme lawyer as co-controllers of the personal data relating to the Scheme;

PPF means the Board of the Pension Protection Fund;

Scheme means The Napier Brown Retirement Benefits Plan.

Actuary means Katie Powe or Rowan Harris of Broadstone Pensions Limited.

Scheme auditor means Evelyn Partners

Scheme lawyer means CMS Cameron McKenna Nabarro Olswang LLP.

Trustee means the Trustee of the Scheme, being Vidett Trust Corporation Limited.

Contacting the Trustee

You may contact the Trustee regarding your personal data either by email or by post using the contact details set out below:

Email your request to:

kate.barette@vidett.com

Write to them at:

Vidett Trust Corporation Limited
3rd Floor Forbury Works
37-43 Blagrove Street
Reading
RG1 1PZ

Please include the Scheme name as a reference in any correspondence with the Trustee.

This privacy notice was last reviewed and updated on 18 December 2023.

APPENDIX – PPF USE OF PERSONAL DATA

The PPF recognises the importance of the correct and lawful processing of personal data in maintaining confidence in their operations. The PPF fully endorse and adhere to the principles set out in the data protection legislation.

What information is shared with the PPF?

The Trustee may share personal data with the PPF, including name, address, telephone number, date of birth, national insurance number, bank details, as well as pension and compensation entitlement, so that the PPF can perform their functions.

How does the PPF process your personal data?

The PPF may process the personal data of members of schemes in assessment for one or more of the following purposes:

- assessing whether your Scheme is eligible to transfer to the PPF;
- ensuring that you receive the correct PPF compensation if the Scheme transfers to the PPF at the end of the assessment period;
- gathering feedback or to ask you to share your views of the PPF;
- updating and informing you of their activities; and
- quality assurance.

The legal basis that the PPF rely on for processing your data will depend upon the circumstances in which it is being collected and used. Most cases fall into one of the following categories:

- the processing is necessary in order for the PPF to comply with a legal obligation; or
- in limited circumstances, you have provided your consent to allow the PPF to use your data in a certain way.

The PPF will not rent, swap or sell your personal data to any other organisation.

The PPF will disclose your personal data (which may include sensitive personal data) when required to by law. For example, to HM Revenue and Customs for tax purposes or to the police for the prevention or detection of crime. Regulators may also require the PPF to share information.

Data research

On occasion, the PPF, or an authorised third party, may contact you for research purposes so that the PPF can improve their services and better meet the needs of members of schemes in assessment.

How long will the PPF keep your data

The PPF retain your information to comply with legal obligations, resolve disputes and provide services. The PPF will only retain your information if a business need or legal requirement exists. It is not kept longer than is necessary for that purpose.

Contacting the PPF

The PPF has a Data Protection Officer, who is responsible for personal data at the PPF.

Should you wish to contact the PPF to exercise any of your rights in relation to personal data held by the PPF, they can be contacted by writing to them at:

Pension Protection Fund, PO Box 254,
Wymondham, NR18 8DN