

WIGHTLINK PENSION SCHEME (the “SCHEME”)

Scheme privacy notice

This privacy notice tells you what to expect us to do with the personal information of our members and their survivors. It is being issued jointly by the joint data controllers in relation to the Scheme to comply with the United Kingdom General Data Protection Regulation (“UK GDPR”). The UK GDPR replaced its predecessor, the EU GDPR, after Brexit. This document replaces any Fair Processing Notice previously issued under the Data Protection Act 1998 and under the EU GDPR and is for your information only.

The data controllers in relation to the Scheme are the WIGHTLINK TRUSTEE BOARD (“the **Trustee**”), the appointed Scheme Actuary in relation to the Scheme (currently NEIL LALLEY of XPS PENSIONS), and WIGHTLINK LIMITED. In some circumstances it may also include the Scheme legal advisers STEPHENSON HARWOOD who will process personal data to comply with their professional duties as advisers to the Trustee.

Our contact details

For details about the Scheme, please use the usual Scheme Client Team mailbox at: wightlink@xpsgroup.com.

What information we collect, use, and why

As a data controller, the Trustee collects and processes your personal data for the purposes of complying with its legal duties to administer the Scheme, and for other legitimate purposes relating to the operation of the Scheme. We hold this data in order to calculate and pay the benefits to which Scheme members are entitled.

In certain circumstances, we may need to collect some special categories of “sensitive” personal information in order to provide your pension benefits. This is most likely where we are collecting information relating to your health in relation to an application for an ill-health pension, or where in order to fulfil our obligation to provide benefits on your death, we obtain information that may reveal your racial or ethnic origin, religious or similar beliefs, or sexual orientation. In doing so, we hold this sensitive personal information in performance of our legal obligations in connection with employment and pension provision, and in order to establish, exercise or defend legal claims. Where we ask for your consent to holding your sensitive personal information, you may withdraw your consent at any time by contacting wightlink@xpsgroup.com.

We collect or use the information to **comply with legal requirements** which comes from various sources:

Last updated: June 2024

Information we may collect directly from you

The categories of personal information that we collect directly from you include:

- (a) personal details (for example, your name, date of birth, address);
- (b) your bank details and national insurance number;
- (c) your contact details (for example, your address, phone number and email address);
- (d) details about your family and dependants, so that depending on the rules of your Scheme, we can pay any pension benefits to your spouse / partner / children on your death; similarly, you can tell us who you would like us to consider paying any lump sum benefits on your death¹;
- (e) your choice of fund for your contributions (and any contributions from your employer) to be paid into, where applicable;
- (f) your health, which may be relevant if you request payment of your pension early on grounds of ill health.

Information we may collect from other sources (such as your employer, HMRC, DWP, regulatory bodies and tracing organisations)

These are examples of categories of information we may collect from other sources:

- (a) personal details (for example, your name, date of birth);
- (b) your contact details (for example, your address, phone number and email address);
- (c) information necessary to calculate and pay your contributions or benefits (for example, your employment history and salary).

Lawful bases

Our lawful bases for collecting or using your personal information for **legal requirements** are:

- **Legal obligation** -to fulfil our legal obligations (including any contractual obligations), which includes making sure that your benefits are paid correctly.

The ways we use your information include:

- identifying you and your survivors and updating your details as may be requested by you
- communicating with you
- calculating and paying your benefits or in relation to a transfer of your benefits
- making trustee decisions – such as whether to agree to early retirement or how to distribute benefits after your death
- deciding how to invest contributions paid by you or your employer, if applicable.

¹ We assume that you have the consent of those individuals to provide us with this information and that you will share this privacy notice with them. We will not provide a copy of this notice to those individuals (as this may prevent us from being able to administer the Scheme properly).

- **Legitimate interest** – it is in your and the Trustee’s legitimate interests to use your personal information to:
 - Keep up to date and accurate records about your membership of the Scheme so that the correct benefits can be paid
 - Undertake risk-management exercises so that the risk your benefits are not paid is reduced
 - Comply with the law, including regulations and guidance issued by the Pensions Regulator so that you, the Trustee, and the Scheme advisers are not subject to legal sanctions which may impact benefits
 - Efficiently manage the impact of any change to the legal status of the sponsoring company so that your benefits are not adversely affected for example by a sale or company merger
 - Carry out ‘employer led’ exercises so that the Scheme’s employers can contact you for their legitimate interests of explaining your benefits under the Scheme, and any additional options which may be available to you in relation to those benefits, which tend to be called ‘employer led’ exercises.

When assessing whether a need to use personal information falls within a legitimate interest, the Trustee will generally assess whether your own interests, rights and freedoms under data protection laws are looked after when also considering the legitimate interest of the employer/third party in wanting to carry out the exercise. In this way the Trustee can protect your own rights under data protection laws.

- **Legitimate interest** – In certain circumstances, the Trustee may also need to use the information held in relation to any legal claims.

How long we keep information

We will keep your personal information for at least as long as we have a relationship with you or your survivors. When deciding how long to keep your personal information after our relationship with you has ended, we take into account our legal obligations and regulators' expectations. We may also retain records to investigate or defend potential legal claims.

Who we share information with

We may share personal information with:

- (a) the Schemes’ administrators and our advisers (such as the Scheme Actuary, benefit consultants, Scheme lawyers, etc) to facilitate the administration of the Schemes and your benefits;

- (b) relevant public bodies, including His Majesty's Revenue and Customs (“HMRC”) and other Government organisations, including the Pensions Regulator, the Pension Protection Fund, the Financial Conduct Authority, and the Information Commissioner’s Office;
- (c) insurance companies or other occupational pension schemes and their advisers with a view to securing benefits through long term insurance policies or a merger of schemes.

International transfer of personal information

We may transfer and process your personal information outside of the UK. Where your personal information is to be transferred outside the UK (for example by the Scheme administrator) we will take reasonable steps to ensure that there are appropriate safeguards in place in accordance with applicable legal requirements to protect the information. For more information on any safeguards in place, please contact us.

Your data protection rights

Under data protection law, you have rights including:

Your right of access - You have the right to ask us for copies of your personal information (a data subject access request).

Your right to rectification - You have the right to ask us to rectify personal information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.

Your right to erasure - You have the right to ask us to erase your personal information in certain circumstances.

Your right to restriction of processing - You have the right to ask us to restrict the processing of your personal information in certain circumstances.

Your right to object to processing - You have the right to object to the processing of your personal information in certain circumstances.

Your right to data portability - You have the right to ask that we transfer the personal information you gave us to another organisation, or to you, in certain circumstances.

Your right to withdraw consent – When we use consent as our lawful basis you have the right to withdraw your consent.

You don't usually need to pay a fee to exercise your rights. If you make a request, we have one calendar month to respond to you. To make a data subject access request, please contact us using the contact details at the top of this privacy notice.

How to complain

If you have any concerns about our use of your personal information, you can make a complaint to us using the contact details at the top of this privacy notice.

If you remain unhappy with how we've used your personal information after raising a complaint with us, you can also complain to the ICO.

The ICO's contact details -	Information Commissioner's Office
	Wycliffe House
	Water Lane
	Wilmslow
	Cheshire
	SK9 5AF

Helpline number:	0303 123 1113
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Website:	https://www.ico.org.uk/make-a-complaint
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