

## **The Staff Pension and Life Assurance Scheme of the Royal Hospital for Neuro-Disability - Privacy Notice**

This Privacy Notice has been issued by the Trustees of the Staff Pension and Life Assurance Scheme of the Royal Hospital for Neuro-Disability (the Scheme) to comply with the General Data Protection Regulation (GDPR), which comes into effect on 25 May 2018.

### **Data controllers**

As the Trustees of the Scheme, we hold certain personal information (known as “personal data”) about Scheme members and, where applicable, their dependants and beneficiaries. For legal purposes, the Trustee is known as the “data controller”, as we decide the purposes for and the means by which the personal data we hold is processed.

The Scheme Actuary has confirmed that he is a “joint data controller” in respect of the personal data he holds relating to Scheme members. Our Scheme Actuary works for Capita Employee Solutions. This Privacy Notice is also given on behalf of the Scheme Actuary.

The joint data controllers can be contacted via the Scheme administrator as follows:

#### **Name & Address**

Capita Employee Solutions

145 Morrison Street

Edinburgh

EH3 8AG

Telephone: 0131 240 4855

Email: [RHNDPensions@capita.co.uk](mailto:RHNDPensions@capita.co.uk)

### **Use, transfer and storage of personal data**

In the course of running the Scheme, we may require information from you in relation to your marital status (which may include the gender of your spouse or civil partner) and / or information about your (or your partner's) health. Such information will be used by the Scheme's administrators to determine the benefits payable to you and your beneficiaries.

In addition, we may hold any or all of the following items of personal information about you:

- Personal details including your name, National Insurance number, gender, age, date of birth, postal and/or email address and telephone number.
- Descriptions relating to your physical and mental health (to the extent that they are relevant to the calculation and payment of your benefits from the Scheme).
- Salary and data relating to investments and pension assets held outside of the Scheme (to the extent they are relevant for the calculation and payment of your benefits, or to the taxation of your benefits from the Scheme).
- Employment history, including employment dates and historic pay records.
- Bank account details for payment of benefit instalments, HMRC tax code.

Your personal data is provided to the data controllers by your employer or may be obtained directly from you. We may also receive personal data from other parties such as HM Revenue & Customs, the Pensions Ombudsman, or someone acting on your behalf, such as an independent financial adviser. If you are receiving a dependant's benefit from the Scheme or a benefit resulting from divorce or

dissolution of civil partnership, we may have been given your personal data by the member or through enquiries undertaken by us on a member's death.

We must keep all personal data safe and only hold it for as long as necessary. Given the nature of pension schemes the Trustee may need to keep some of your personal information for the rest of your life. We review the personal data held in relation to the Scheme on a regular basis and if we conclude the data is no longer needed then it will generally be destroyed.

As the Trustees need help from various advisers to properly administer the Scheme, the Trustees share your data with the Scheme's administrator, the Scheme Actuary, the sponsoring employer(s) and AVC providers. They may also share data with the Trustees' other professional advisers (including the Scheme Auditor, pension consultants and Scheme legal advisers) and regulatory bodies (including, but not limited to, HM Revenue and Customs, the Department for Work and Pensions, the Pensions Ombudsman and the Pensions Regulator).

Your data may also be shared with your current, past or future employer and our appointed insurers for the purposes of life insurance.

The Scheme administrators, on behalf of the Trustees, will use your personal data to ensure that the correct benefits can be paid to you and that your requests can be dealt with efficiently, in accordance with the Trustees' legal obligation to run the Scheme in accordance with the Trust Deed and Rules and relevant legislation.

The Trustees and / or Scheme administrators may contact you directly in order to provide relevant information, or to deal with your queries.

The Trustees have a legitimate interest in holding and processing the above information to:

- Keep up to date and accurate records about your membership of the Scheme  
*so that the correct benefits can be paid and so that we can respond to queries or complaints*
  
- 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 Trustees and their 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*
  
- The Scheme Actuary uses your personal data to advise the Trustees on the financial management of the Scheme. This advice helps to ensure the Trustees are able to meet their obligations to pay members' benefits, and is necessary to comply with obligations placed on them by legislation, including the Pensions Act 2004.

The Scheme Actuary may also use your personal data in research which assists actuaries in providing this type of advice - for example research into the mortality experience (life expectancy) of pension scheme members in general. This may include the provision of personal data, anonymised as far as possible, to a recognised external authority, such as the Continuous Mortality Investigation (CMI) which investigates mortality experience on behalf of the Institute and Faculty of Actuaries.

The Scheme Actuary will not pass your personal data to any third party without the prior agreement of the Trustees.

All countries within the European Economic Area (EEA), including the UK, have similar standards for the protection of personal data. Where any of your information is transferred outside the EEA (e.g. because any of our advisers or service providers, or the sponsoring employers, have IT systems located in other jurisdictions), we ensure that there are appropriate safeguards in place to ensure the security of personal data. You can obtain more information on the safeguards by contacting the Scheme administrator.

### **Your rights in relation to your data.**

The purpose of this Privacy Notice is to fulfil your right to be informed about the use of your personal data. In addition:

- You have the right to access your personal data. If you wish to request copies of your personal data please contact the Scheme administrator at the address above.
- You have the right to have your personal data rectified if it is inaccurate or incomplete.
- You have the right to have your personal data deleted or removed if there is no reason for its continued storage and processing.
- You have the right to object to your personal data being processed and to restrict the processing of your personal data in certain circumstances. While processing is restricted, the data controllers are permitted to store the personal data to ensure the restriction is respected in future. You will be informed if a restriction on processing is lifted.
- You have the right to lodge a complaint with the ICO about how your data has been handled.
- Where you have given us your consent to processing your personal data you can withdraw your consent at any time by notifying the Scheme administrator. However, withdrawing your consent will not affect the processing of any personal data which took place beforehand and it may be possible for the Trustees to continue processing your personal data where this is justified.

Please note that if you choose to exercise your rights to withhold data or insist on its deletion, then the Trustees may not be able to perform their duties in relation to the Scheme, and your benefits could be affected and we may not be able to answer questions relating to your benefits.

Information will generally be provided to you free of charge, although the Trustee can charge a reasonable fee in certain circumstances.

Further details about GDPR and your rights under GDPR can be found on the ICO's website at <https://ico.org.uk/>.

### **Updates to this notice**

This Privacy Notice is the latest version as at 21 May 2018. It will be updated from time to time and you can see the current version at any time at <https://www.rhn.org.uk/how-are-we-doing/governance/>. Alternatively if you would prefer to receive a hard copy of the notice, please contact the Scheme administrator (contact details above).