



This privacy notice describes what personal data we (the Trustees of your scheme) may 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 note that this general privacy notice and the provisions set out herein may vary between each individual scheme. You can request a copy of the specific privacy notice for your scheme from Open Trustees using the contact details at the end of this privacy notice.

For schemes in a Pension Protection Fund (PPF) assessment period, there are a number of other parties who may require access to your personal data. In addition to the Trustees, these include the PPF, the Scheme actuary, the Scheme auditor and the Scheme lawyer. In this scenario, they are each data controllers of your personal data.

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

1 What personal data do we collect about you and how?

1.1 We collect personal data from you in a number of different ways:

- (a) you may share information with us (for example, when you join the scheme, when you apply for benefits from the scheme or when you respond to letters sent by us seeking confirmation of your personal data);
- (b) we may collect certain personal data from third parties (for example, your current or former employer, the former trustee of the scheme, the former scheme administrator or, if applicable, the scheme insurer);

- (c) we may also generate certain personal data in our running of the Scheme (for example, information relating to your contributions and benefits).

1.2 We collect personal data from the following third parties:

- (a) your current or former employer;
- (b) a financial or other adviser or representative acting on your behalf and, if you want to transfer benefits (note that transfers out are not permitted for schemes in a PPF assessment period), the trustees or managers of other pension schemes of which you are or have been a member;
- (c) 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
- (d) government agencies (for example, HM Revenue and Customs or the National Insurance Contributions Office).

1.3 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.

1.4 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.

- 1.5 If you are (or might be) eligible to receive benefits following the death of a member, we may need to collect personal data from the following third parties:
 - (a) public records (for example, the register of births, deaths and marriages);
 - (b) any adviser or representative acting on your behalf;
 - (c) other people who know or are related to, or were dependent upon the member, and anyone representing them;
 - (d) the executors of the member's will or the member's personal representatives and anyone representing them.

2 How do we use your personal data?

- 2.1 We primarily use your personal data for the purposes of operating the Scheme; for example, to process any application to join the Scheme, to calculate and pay your benefits, to communicate with you and to make decisions about you and your entitlements (as well as about the Scheme more generally).
- 2.2 We will also use your personal data for the purposes of complying with any laws, procedures and regulations which apply to us and to establish, exercise or defend our legal rights.
- 2.3 We may also use your data for risk management purposes. This may include, but is not limited to, longevity modelling, managing the Scheme assets, insurance solutions and member option exercises.
- 2.4 We may occasionally use your personal data for the purposes of statistical analysis or to respond to government surveys (for example, questionnaires sent to us by the Pensions Regulator or the Office of National Statistics) but this is usually completed on an anonymous basis.
- 2.5 If we wish to use your personal data for any other purpose, we will update this privacy notice.
- 2.6 [For schemes in a PPF assessment period, we will use your personal data to assess whether PPF will take on the scheme. This will include transferring your personal data at the end of the PPF assessment period to either the PPF or to an

insurance company if the PPF is not required to take on the scheme. The PPF will use your personal data to assess whether the scheme is eligible to transfer to the PPF, to make sure you receive the correct PPF compensation if the scheme does transfer to the PPF 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.

- 2.7 The scheme 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, for example carrying out the prescribed tasks required during a PPF assessment period.]

3 What is our lawful basis for using your personal data?

- 3.1 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.
- 3.2 We have certain duties and powers which are conferred on us by overriding law or by the scheme's governing documents. In most cases, our processing of your personal data is necessary for the performance of those duties and exercise of those powers.
- 3.3 Certain uses of your personal data, or other processing activities, will not be strictly necessary to perform our legal duties, or to exercise our powers; however, they will be necessary for the purposes of our legitimate interests or the legitimate interests of a third party. They may also be in your interests.
- 3.4 When we say "legitimate interests", we mean ours (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.
- 3.5 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. However, withdrawing this consent may influence your ability to receive certain benefits from the scheme.

3.6 [For schemes in a PPF assessment period, 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.

3.7 The scheme actuary, 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 its obligations referred to above and is necessary to comply with obligations placed on the scheme actuary, scheme auditor and scheme lawyer by legislation, including the Pensions Act 2004.]

4 In what circumstances do we share your personal data?

4.1 We may share your personal data with the following categories of third parties:

- (a) your current or former employer and, if applicable, other members of the employer's group with responsibilities to the scheme - for the purposes of operating the scheme;
- (b) our administrators – we delegate some of our duties to the scheme administrators; they are effectively responsible for the day-to-day running of the scheme;
- (c) the scheme insurer – for certain insured arrangements we delegate some of our duties to the scheme insurer; they are effectively responsible for the day-to-day management of the scheme or policy;
- (d) the scheme 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;

- (e) [the PPF valuation actuary – for schemes in a PPF assessment period this is an additional actuary that may be appointed to undertake a valuation or funding determination which will confirm whether the scheme is sufficiently underfunded to be eligible to transfer to the PPF. The actuary will be supported by an actuarial team who will also have access to your personal data;]
- (f) our benefit consultants (if relevant) – they provide advice on all aspects of running the scheme, including the level and form of benefits provided to members, investment, member communication and strategies for managing and mitigating the risks associated with the scheme;
- (g) our insurers (if relevant) – they provide insurance cover for the payment of death benefits and / or provide annuity policies securing the scheme benefits;
- (h) our investment managers and AVC (or other money purchase) providers – they invest the scheme assets on our behalf;
- (i) our annuity broker / retirement advice / support service
- (j) our auditors – they audit the scheme's annual accounts. In certain situations they may also prepare these for us;
- (k) our lawyers – they advise us on all legal issues affecting the scheme;
- (l) our covenant advisers – they advise us on the financial support that your current or former employer may be able to provide to the Scheme;
- (m) our payroll agents (if relevant) – they arrange payment of pensions;
- (n) our indemnity insurers;
- (o) any staff we employ and other companies that provide services to us (or to the Scheme administrators or our other suppliers), 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;

- (p) any financial adviser appointed to advise in relation to transferring your benefits to another pension scheme (and the trustees or managers of the pension schemes you transfer or your benefits are transferred to);
 - (q) government agencies in connection with contracted-out benefits (for example, HM Revenue and Customs, and the National Insurance Contributions Office);
 - (r) the PPF, if required, to assess the scheme's eligibility for entry into the PPF and, if it is eligible, ensure that members and beneficiaries receive the correct PPF compensation once the scheme has transferred to the PPF;
 - (s) other insurance companies - for them to assess whether they can provide benefits for members and beneficiaries if it is determined that the PPF is not required to take on the scheme at the end of a PPF assessment period;
 - (t) any other advisors who may be appointed by the Trustees from time to time; and
 - (u) any individuals or corporate trustees who are appointed to act alongside or in place of the Trustees.
- 4.2 Details of all of the main advisers to each scheme are available in the scheme's annual report and accounts which are available on request by writing to us.
- 4.3 Some of these third parties may process your personal data in countries which are outside of the United Kingdom.
- 4.4 We will also disclose your personal data to third parties:
- (a) 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
 - (b) to respond to any claims, and to establish, exercise or defend our legal rights.
- 4.5 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.

- 4.6 Certain third parties (most notably, [the PPF](#), the scheme 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.
- 4.7 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.

5 Do we transfer your personal data outside the UK?

- 5.1 In certain circumstances, your personal data may be processed outside of the UK.
- 5.2 If we (or our service providers) process personal data outside of the UK, 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.
- 5.3 There are several measures for ensuring an adequate level of protection including where certain countries have been deemed "adequate" by the Secretary of State in the UK (for example, countries within the European Economic Area have been deemed adequate), or where we transfer personal data outside the UK on the basis of the standard data protection clauses approved for use in the UK (for example, where we incorporate those clauses with service providers based outside the UK).
- 5.4 Further details on the steps we take to protect your personal data in these cases are available on request by writing to us.

6 How long do we retain your personal data?

- 6.1 We keep your personal data for no longer than is necessary for the purposes set out above.
- 6.2 We will need to keep most of your personal data for as long as you are a member of the Scheme. If you die, we will continue to hold your personal data

because we may need to pay benefits to your spouse, civil partner, partner or dependants. If your spouse or dependants subsequently die or you transfer out of the scheme during your lifetime, we may also keep your personal data for a period of at least six years for the purposes of defending any future claims or establishing, exercising or defending our legal rights.

- 6.3 [For schemes in a PPF assessment period, the Trustee is required by the PPF to keep (or ask the scheme administrator 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.]

7 What are your rights in relation to your personal data?

- 7.1 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.
- 7.2 You have the right to request that we:
- (a) provide you with a copy of any personal data which we hold about you;
 - (b) update any of your personal data which is out of date or incorrect;
 - (c) delete any personal data which we hold about you, although in these circumstances it would be difficult to provide you with continued Scheme membership;
 - (d) restrict the way that we process your personal data;
 - (e) consider any valid objections which you have to our use of your personal data; or
 - (f) provide your personal data to a third party provider of services.
- 7.3 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.

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

8 How do we keep your personal data secure?

- 8.1 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.
- 8.2 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.
- 8.3 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).

9 Changes to this privacy notice

- 9.1 We may amend the privacy notice relating to your scheme from time to time. Any changes we make will be notified to you in the next communication from us to you.

10 Further questions or making a complaint

- 10.1 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 us. [For schemes in a PPF assessment period we will share your query, complaint or request to exercise your rights with the PPF.]
- 10.2 We will investigate and attempt to resolve any such complaint or dispute regarding the use or disclosure of your personal data.
- 10.3 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.

11 Personal data we process

PPF means the Board of the Pension Protection Fund.]

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

- (a) name(s);
- (b) national insurance number;
- (c) date of birth;
- (d) home address, telephone number and personal e-mail address;
- (e) marital status and family / dependants;
- (f) dates on which you joined and left pensionable service, including details of any adjustments that may be required to this service (eg any periods of part-time service, or any periods of absence/leave);
- (g) your salary information and history of contributions into the Scheme;
- (h) information relating to your health (for example, if you request ill health benefits);
- (i) information relating to any pension sharing or earmarking order (if your marriage or civil partnership ends);
- (j) information related to your other pension entitlements;
- (k) tax information including your income tax band and any protections that you may have in relation to your pension benefits; and
- (l) your bank account details.

12 Defined terms

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

Trustees, us, we or our, means the trustee of your scheme, being Open Trustees Limited or any other individual or company that we act alongside.

[For schemes in a PPF assessment period, data controllers, us, we or our means collectively the Trustees, the PPF the scheme actuary, the scheme auditor and the scheme lawyer as co-controllers of the personal data relating to the scheme;

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:

By email: GDPR@opentrustees.com

In writing: Open Trustees, 5th Floor, Halo,
Counterslip, Bristol, BS1 6AJ

Please include the name of your scheme in any correspondence with us.

Contacting the PPF

For schemes in a PPF assessment period, 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 using the contact details set out below:

By email: complaints@ppf.co.uk

In writing: Pension Protection Fund, PO Box
254, Wymondham, NR18 8DN

This general privacy notice was last reviewed and updated in March 2024.

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.

1. What information is shared with the PPF?

1.1 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.

2. How does the PPF process your personal data?

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

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

2.2 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:

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

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

2.4 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.

3. Data research

3.1 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.

4. How long will the PPF keep your data?

4.1 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.

5. Contacting the PPF

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

5.2 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