

Trustee of the University of Bristol Pension and Assurance Scheme ("UBPAS"): privacy notice

Background

This privacy notice has been issued to comply with the UK's General Data Protection Regulation (UK GDPR). Please read it carefully as it contains important information.

We, UBPAS Trustee Limited, as the Trustee of UBPAS, are subject to the requirements of the UK GDPR.

We are sending you this notice because you:

- are a member of UBPAS;
- are (or might be) eligible to receive benefits following the death of a member of UBPAS.

As Trustee, we process 'personal data' about you in order to run UBPAS and pay benefits. We also share your personal data with others, when we need to. Personal data is any information that could be used to identify you as a living individual.

In accordance with our obligations under the UK GDPR, this privacy notice describes what personal data we collect about you and other people (for example, your spouse, civil partner, partner or dependants).

It also describes how we process (i.e. handle) your personal data, the legal basis upon which we process it, with whom it is shared, how it is stored, how it is protected and what rights you have in relation to it.

Please read this privacy notice carefully as it contains important information. However, it is for information only and you do not need to do anything.

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

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

- you may share information with us;
- we may collect certain personal data from third parties (please see below);
- we may also generate certain personal data in our running of UBPAS (for example, information relating to your contributions and benefits).

If you are a member, we collect personal data from the following third parties:

- your current or former employer;
- any financial or other adviser or representative acting on your behalf, and, if you want to transfer benefits, the trustees or managers of other pension schemes of which you are or have been a member;
- 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
- public databases (such as the register of births, deaths and marriages) and government agencies (for example, Her Majesty's Revenue & Customs (HMRC)).

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:

- public records (for example, the register of births, deaths and marriages);
- any adviser or representative acting on your behalf;
- other people who know or are related to, or were dependant upon the member, and anyone representing them;
- the executors of the member's will or the member's personal representatives and anyone representing them.

We collect and use the types of data set out in section 11.

In certain circumstances, we may ask you for personal data which is more sensitive. Examples would be where we ask for information that may reveal your racial or ethnic origin, religious beliefs, sex life or sexual orientation, or information relating to your health (for example, if you cannot work any longer due to incapacity and you want to take your pension benefits early).

When we ask for sensitive information, we will only ask for as much information as we need. We will also explain to you at the time why we need that information and how we intend to use it. We may also need to handle information about criminal convictions relevant to you.

When we need to, we will ask for your consent for us to use your sensitive information, or information about criminal convictions and offences. However, there are some cases where the law allows us to use sensitive information without your consent, including where we need to use it to establish, exercise and defend legal claims.

You may also need to provide us with personal data relating to other people (for example, your spouse, civil partner, 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.

2. How do we use your personal data?

We primarily use your personal data for the purposes of operating UBPAS. This includes making decisions about you and your options and entitlements and calculating your benefits, and communicating with you.

It also includes matters to do with the wider operation of UBPAS. For example, we use personal data to calculate UBPAS's liabilities and the sums that the employers and members need to pay to UBPAS. We may also use personal data to set up insurance policies to meet UBPAS's liabilities, in connection with liability management exercises, transferring your benefits to another scheme or arrangement, a scheme merger, or any proposal to make changes to UBPAS's benefits.

We will also use your personal data for the purposes of complying with any laws and procedures that apply to us, answering questions, dealing with complaints, and in order to establish, exercise or defend our legal rights.

Finally, we will 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.

If we or the other data controllers involved with UBPAS wish to use your personal data for any additional purposes, we will update this privacy notice.

3. What is our lawful basis or ground 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", or "ground" each time we use, share or otherwise process your personal data.

As Trustee, we have certain duties and powers which are conferred on us by law or by UBPAS'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.

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.

When we say "legitimate interests", we mean our (or a third party's) interests in operating UBPAS 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 of our use of that service means that your personal data is more secure.

If we rely on our (or a third party's) **legitimate interests** use your personal data, we will undertake a balancing test to ensure that our (or the third party's) legitimate interests are not outweighed by your interests. If we are processing personal data on this basis (rather than, for example, because it is necessary for the performance of our legal duties), you have the right to object to this processing.

In certain circumstances, we will need your **consent** to collect and use your personal data; this is most likely where we are collecting and using information relating to your health, or where we obtain information that may reveal your racial or ethnic origin, religious or similar beliefs, sex life or sexual orientation. If we have asked for your consent, you may withdraw your consent at any time.

You may withdraw your consent, or object to our processing of your personal data in a certain way (where you have the right to do so), by using the contact details set out in section 10.

However, if you withdraw your consent or object to our processing of your personal data, this may impact our ability to consider whether you are eligible to receive benefits, put your benefits into payment, and / or continue to pay benefits to you.

4. In what circumstances do we share your personal data?

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

- your current or former employer – for the purposes of operating UBPAS;
- our administrators – we delegate some of our duties as a Trustee to administrators; they are effectively responsible for the day-to-day running of UBPAS. In some instances, the administrators will share personal data with their sub-processors in accordance with their contractual agreement with us;
- UBPAS's actuary – this is an actuary who is personally appointed to UBPAS to advise us on UBPAS's funding. The actuary is supported by an actuarial team who will also have access to your personal data;
- our benefit consultants – they provide advice on all aspects of running UBPAS, including the level and form of benefits to be provided to members of UBPAS, investment, member communication, and strategies for managing the risks associated with UBPAS;
- our investment managers and advisers – they invest UBPAS's assets on our behalf and advise us on investment matters;
- our auditors – they prepare UBPAS's annual accounts and audit them for us;
- our lawyers – they advise us on all legal issues affecting UBPAS;
- our covenant advisers – they advise us on the financial support that your current or former employer may be able to provide to UBPAS;
- our indemnity insurers;
- the Pensions Ombudsman – they would likely request information from us if you raise a complaint with them;
- medical practitioners – if medical advice is needed in relation to the payment of benefits that are dependent on ill health (e.g. ill-health early retirement)
- any staff we employ and other companies that provide services to us (or to our administrators), such as communications consultants, printers, suppliers of data cleansing, verification and tracing services, and IT systems suppliers and support, including providers of data storage, email archiving, back-up and disaster recovery and cyber security services;
- any financial adviser you appoint 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); and
- statutory bodies (for example, the Pension Protection Fund), or government agencies in connection with contracted-out benefits (such as HMRC).

We will also disclose your personal data 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.

As Trustee, we are a 'data controller' of your personal data. This means we are responsible for keeping your personal data safe and secure.

Some of the 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. They are known as 'data processors', and this category includes UBPAS's administrators.

However, certain third parties (most notably, UBPAS's actuary and actuarial advisers, our insurers, auditors, lawyers and other professional advisers) are subject to certain legal or regulatory obligations, including professional codes of practice. They will be 'data controllers' (and so directly responsible to you for their own processing of your personal data) to the extent that processing is subject to, or relates to, those obligations.

As data controllers, those third parties have their own, separate, privacy notice which applies to their use of your personal data. A full list of these third parties, and copies of their privacy notices, can be obtained by contacting the Trustee (see section 10). Links to the privacy notices for UBPAS's actuary / actuarial advisers and legal advisers are set out below:

www.willistowerswatson.com/personal-data;

<http://www.osborneclarke.com/website-privacy/>.

5. 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; for example, third party service providers may store certain personal data in a country outside the UK.

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.

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 (or example, where we incorporate those clauses into our contracts with service providers based outside the UK).

Further details on the steps we take to protect your personal data in those cases are available from us on request.

6. How long do we retain your personal data?

We keep your personal data for no longer than we need to for the purposes for which we use it, as set out in section 2 of this notice.

We will need to keep your personal data for as long as you are a member of, or receiving benefits from, UBPAS. If you die, we will continue to hold your personal data to pay any benefits due to your spouse, civil partner or dependants.

We will also keep your personal data for as long as necessary to answer any questions about the administration of UBPAS, deal with any complaints or claims, exercise or defend our legal rights, or

comply with any legal or regulatory requirements. We will keep your personal data even if you have no spouse, civil partner or dependants, or if your spouse, civil partner, partner or dependants die, or if you transfer out of UBPAS.

We need to keep your personal data this long because of the long term nature of pension schemes, and the fact that questions can arise many years after someone has died or left UBPAS.

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

You have the following rights in relation to your personal data. You can ask us for more information about any of these rights by contacting us using the details in section 10.

- (a) **Right of access.** You have a right of access to any personal data we hold about you, including asking us for a copy of your personal data;
- (b) **Right to update your information.** You have a right to request an update to any of your personal data which is out of date or incorrect;
- (c) **Right to delete your information.** You have a right to ask us to delete any personal data which we are holding about you in certain specific circumstances (but this may affect our ability to pay you benefits);
- (d) **Right to restrict use of your information.** You have a right to ask us to restrict the way we process your personal data in certain circumstances (but this may affect our ability to pay you benefits);
- (e) **Right to data portability.** You have a right to ask us to provide your personal data to a third party provider of services in certain circumstances;
- (f) **Right to object.** Where we process your personal data on the basis of our, or another person's, legitimate interest, you have a right to ask us to consider any valid objections which you have to our use of your data.

We will consider all requests from you to exercise your rights (including whether they apply in a particular case) and provide our response within a reasonable period. In any event we will provide a response within one month of your request, unless we tell you we are entitled to a longer period.

Please note that certain personal data may be exempt from such requests, for example if we need to keep using the information to comply with our own legal obligations. If an exception applies, we will tell you this. 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?

The main risk of our processing your personal data is if it is lost, stolen or misused. For these reasons, we are committed to protecting personal data from loss, misuse, disclosure, alteration, unauthorised access and destruction and to take all reasonable precautions to safeguard the confidentiality of personal data.

Although we make every effort to protect the personal data you provide, 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 in this way.

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

Where we have given you (or where you have chosen) a password which enables you to access an account relating to your membership of UBPAS, you are responsible for keeping this password confidential. We ask you not to share a password with anyone.

9. Changes to this privacy notice

We may amend this privacy notice from time to time. Any changes we make to our privacy notice in future will be notified to you in the next communication from us, such as the annual summary funding statement, your annual benefit statement, or member newsletter.

10. Further questions or making a complaint

If you have any queries or complaints about our collection, use or other processing of your personal data, or if you wish to exercise any of your rights described above, please contact our administrators, Barnett Waddingham:

Post: Barnett Waddingham LLP, Hartwell House, Victoria Street, Bristol, BS1 6AD

Email: BristolUni@Barnett-Waddingham.co.uk

Tel: 0333 11 11 222

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

You may also make a complaint to the UK's data protection regulator, the Information Commissioner's Office (<https://ico.org.uk/>), or a different data protection regulator in the country where you usually live or work, or where an alleged infringement has taken place. Alternatively, you may seek a remedy through the courts if you believe your rights have been breached.

11. 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);
- gender;
- sex;
- national insurance number;
- employee and membership number;
- date of birth;
- home address and telephone number;
- personal e-mail address;
- marital status and family / dependants (e.g. benefits payable on death);
- your current or former employer;
- the date you joined and left employment and employment status (e.g. full time or part time);
- dates on which you joined and left pensionable service;

- salary information;
- your normal or anticipated retirement date;
- your status as a member of UBPAS (e.g. active, deferred);
- circumstances of retirement or leaving service;
- information relating to your health (e.g. in relation to incapacity benefits);
- information on criminal convictions;
- information relating to your benefits in UBPAS (including any contracted-out benefits);
- information relating to any pension sharing or earmarking order;
- tax information, your income tax band and any protections that you may have in relation to your benefits; and
- your bank account details.

Defined terms

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

UBPAS means the University of Bristol Pension & Assurance Scheme

Trustee, us, we or **our** means UBPAS Trustee Limited (company number 12121652) or any successor appointed as a sole corporate trustee of UBPAS.

The Trustee may be contacted via our administrators Barnett Waddingham.

Post: Barnett Waddingham LLP, Hartwell House, Victoria Street, Bristol BS1 6AD.

Email: BristolUni@Barnett-Waddingham.co.uk

Telephone: 0333 11 11 222

This privacy policy was last reviewed and updated in December 2021.