

## **WEARNES HOLLINGSWORTH LIMITED PENSION SCHEME**

### **TRUSTEES PRIVACY NOTICE**

The Trustees of the Wearnes Hollingsworth Limited Pension Scheme are committed to protecting the privacy and security of your personal information.

This Privacy Notice describes how we collect and use personal information about you during and after your working relationship with your employer, in connection with the pension scheme or if you are a beneficiary of the Pension Scheme. It describes how we comply with the General Data Protection Regulation (GDPR).

**It is important that you read this notice so that you are aware of how and why we use your personal data and who else we share your personal data with.**

#### **Who we are and our contact details**

We are the Trustees of Wearnes Hollingsworth Limited Pension Scheme (**the Pension Scheme**). We are appointed under a formal Trust Deed and the identity of the Trustees changes from time to time.

Details of the current Trustees and any concerns or queries should be addressed to: -

Marc Taylor  
Chair of Trustees  
C/O Cambion Electronics Limited  
Mill Lane  
Castleton  
Hope Valley  
S33 8WR

Tel: 01433 622610

If you have any queries or concerns please contact us first but you can contact the Information Commissioner at any time on 0303 1231113 or more information can be obtained from [ICO.org.uk/concerns](https://ico.org.uk/concerns).

#### **Some key terms explained**

When we use the term "we" we are referring to the Trustees of the Pension Scheme.

We are a "Data Controller". This means that we are responsible for deciding how we hold and use personal information about you. We are required under General Data Protection Regulation (GDPR) to notify you of the information contained in this Privacy Notice.

This notice applies to all members of the Pension Scheme. This notice does not form part of any contract with you and is an information notice. We may update this notice at any time but if we do so, we will provide you with an updated copy of this notice as soon as we reasonably can.

It is important that you read and retain this notice, together with any other privacy notice we may provide you in the future.

## Personal Data

Sometimes called personal information, Personal Data means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data). There are certain types of more sensitive personal data which require a higher level of protection, such as information about a person's health or sexual orientation which warrants a higher level of protection (special data).

A Data Processor is responsible for processing personal data on behalf of a Data Controller.

## Data Protection Principles

We will comply with Data Protection Law. This says that the personal information that we hold about you must be:

1. used lawfully, fairly and in a transparent way
2. collected only for valid purposes that we have clearly explained to you and not used in any way that incompatible with those purposes
3. relevant to the purposes we have told you about and limited only to those purposes
4. accurate and kept up to date
5. kept only as long as necessary for the purposes we have told you about
6. kept securely

## The kind of information we hold about you

We will collect, store, share with third parties (see below) and use the following categories of personal information about you:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses.
- Date of birth.
- Gender.
- Marital status and dependents.
- Next of kin and emergency contact number.
- National Insurance number.
- Bank account details.
- Salary information especially pensionable salary and pension contributions.
- Start date and, if different, the date of your continuous employment.
- Leaving date and date of retirement if different.
- Identity documents.
- Other employment records where relevant.
- Tax codes issued by HMRC.
- Details of payments made to you.

We may also collect, store and use the following more sensitive types of Personal Information (sometimes called "Special Data"). This type of data requires a higher level of protection:

- Information about your sexual orientation where this is strictly relevant to our obligations under the Pension Scheme.
- Information about your health, including any medical condition, relevant health and sickness records including where you leave employment by reason of ill-health, injury or disability and any relevant records.
- Expression of wishes forms and details of your spouse or civil partner and any other person referred to in your expression of wish forms.

- We do not currently collect genetic information and biometric data but may require to do so in the future.
- The same information may be held for you if you have a pension in payment through a member of the Pension Scheme.

### **How is your personal information collected?**

We collect personal information about current employees who are members of the Pension Scheme through an application and recruitment process, either directly from you or sometimes from an employment agency or background check provider. We will also collect additional Personal Information in the course of job related activities throughout the period you are working for us where that is relevant to the Pension Scheme.

Our Pension Scheme administrator(s) will also collect information about you during your membership of the Pension Scheme.

### **How we will use information about you**

**We will only use your Personal Information when the law allows us to. Upon your joining the Pension Scheme as pension trustees under the Pension Scheme Trust Deed we have assumed a legal obligation towards you. Most commonly your Personal Information is being used to comply with that legal obligation.**

**However, it may be necessary for legitimate interests pursued by us or by a third party such as the Scheme Administrator(s) to use your Personal Information and we are permitted by law to apply a "legitimate interest" test which also ensures that your interests and fundamental rights are not overridden.**

**We also need to comply with legal obligations as a result of other legislation or regulations and we may be legally obliged to use your data for those reasons. We may need to use your data to pursue or defend our legal rights or those of another pension scheme member or the legal rights of the pension scheme administrator.**

**We may also use your Personal Information in the following situations, which are likely to be rare:**

- (a) Where we need to protect your interests (or someone else's interests)**
- (b) Where it is needed in the public interest (for official purposes)**

### **How we use particularly sensitive Personal Information**

"Special categories" of particularly sensitive Personal Information as explained above require higher levels of protection. We or the Scheme Administrator(s) acting on our behalf need to have justification for collecting, storing and using this type of personal information. In order to carry out our legal obligations to you, we or the pension Scheme Administrator(s) on our behalf may need to collect or use such special categories of data. Your explicit written consent for the provision of such data may be requested. However, we will also rely upon our need to carry out our legal obligations to you or in reliance on public interest (for example to ensure that the pension scheme is properly administered).

Very rarely we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent or the information is already publicly available.

## Data sharing

### **IMPORTANT:**

**We have to share your data with third parties such as the Pension Scheme administrators. Details of these third party service providers (Data Processors) are set out below.**

**We require third parties to respect the security of your data and to treat it in accordance with the law.**

**The third parties may transfer your personal information outside the EU. Further information is available from those third parties about any such transfers and we set out below links to relevant information. However, where your personal information is transferred outside the EU you can expect a similar degree of protection in respect of your personal information.**

Our scheme administrator is Mercer Limited (Mercer), part of the Mercer Group of Companies of Tower Place West, London, EC3R 5BU.

For the purpose of data protection legislation, the Trustees are a data controller in relation to this data; our actuarial advisers, Mercer and the Pension Scheme Actuary, Richard McMillen, are also data controllers. Mercer and our Pension Scheme Actuary are classed as data controllers when providing certain actuarial and consultancy services. Mercer has an appointed Data Protection Officer tasked with ensuring its compliance with data protection legislation. You can contact Mercer's Data Protection Officer (DPO) at any time if you have any questions about Mercer or its scheme actuaries' privacy practices. The DPO's details are:

Data Protection Officer  
Marsh & McLennan Companies, Inc  
Tower Place West  
London  
EC3R 5BU

If you have any questions for the Trustees, please contact Marc Taylor on behalf of the Trustees using the contact information on the first page of this notice.

The controllers hold and use your data (referred to as "processing" under data protection legislation).

Mercer's data privacy policy can be found at: <https://www.mercer.com/en-gb/footer/data-protection/>

We also use Utmost Life and Pensions of Walton Street, Aylesbury, Buckinghamshire HP21 7QW as our Additional Voluntary Contribution provider. Information about the way in which they use and store data in connection with the pension scheme can be accessed via the link at: <https://www.utmost.co.uk/privacy-notice/>

We also use Legal and General Assurance Society Limited of Knox Court, 10 Fitzalan Place, Cardiff CF24 0TL to provide Life Assurance to active Pension Scheme members. A link explaining how they comply with GDPR can be accessed at: <https://www.legalandgeneral.com/privacy-policy/>

We also use BHP LLP of 2 Rutland Park, Sheffield, S10 2PD as independent auditors to the Scheme to audit the accuracy of members contributions, pensions in payment and the Pension Scheme accounts. A link to their general privacy statement can be accessed at: <https://www.bhp.co.uk/privacy-policy/>

Together, all these third parties help to administer the Pension Scheme.

## **Security of your information with third party service providers**

All our third party service providers are required to take appropriate security measures to protect your personal information. We have appointed appropriate third party service providers and have in place contractual arrangements to ensure this. We have provided you with links to their details and policies above. We do not allow our third party service providers to use your personal data for their own purposes. We only permit them to process your personal data for the specific purpose of pension scheme administration and in accordance with our instructions.

We do not currently share your personal data with any other third party but reserve the right to do so for the Pension Scheme purposes. We will advise you of any change or addition to a third party sharer. In addition we may need to share your personal information with the regulator or to otherwise comply with the law. This may include making returns to HMRC and appropriate disclosure to shareholders. Where we can, we will anonymise information.

### **Data security – internal**

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or access in an unauthorised way, altered or disclosed. We limit access to your personal information to the pension scheme trustees and approved third party providers set out above. If your personal information needs to be accessed by an employee, agent or contractor on our behalf then we will enter into an appropriate contract with them to ensure confidentiality, data protection compliance and security.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

### **Data retention**

#### **How long will you use my information for?**

We will retain your Personal Information indefinitely. This is because it is in connection with pension scheme administration and scheme members require the pension scheme to be administered not only during their own lives but during the lives of any dependents. Our third party data processors have contractual arrangements with us to retain data after their contracts with us end and typical periods will be 15 years but they will vary between data processors. We have arrangements to ensure that our third party data processors securely destroy or return data after those retention periods.

### **Your rights – access, correction, erasure and restriction**

#### **Your duty to inform us of changes**

It is important that the Personal Information that we hold about you is accurate and current. In particular you must keep us informed if you change your address or other contact details.

### **Your rights in connection with Personal Information**

Under certain circumstances, by law, you have the right to:

- **Request access** to your Personal Information (commonly known as a “data subject access request”). This enables you to receive a copy of the Personal Information we hold about you and to check that we are lawfully processing it. If we receive such a request we will first take steps to verify your identity for the security of our scheme members. We may check with you precisely what category or categories of personal information you are asking about so as to limit our enquiries with third party data processors. Depending upon such a request and the fact that we may be reliant upon third party data processors to assist in compliance we will keep you up to date with the timescale in responding to such a request.

- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. You have the right to ask us to delete or remove certain personal information where there is no good reason for us continuing to process it. We will take care to minimise the data that we hold for you and we may not be able to comply with your request as we may have legal grounds for continuing to hold your Personal Information but we will carefully consider any such request that you may make and the legal grounds for it.
- **Object to processing** of your Personal Information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground.
- **Request the restriction** of your Personal Information. This enables you to ask us to suspend the processing of Personal Information about you, for example if you want us to establish its accuracy or the reason for processing it. To the extent that we can restrict processing either at all or for a limited period balancing your rights, our rights and third party rights, we will comply.

If you want to review, verify, correct or request erasure of your Personal Information or object to the processing of your Personal Information please contact Kevin Brent at the contact details given above.

#### **No fee usually required.**

You will not have to pay a fee to access your personal information (or to access any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. If we consider that a fee is required we will give you advance notice of our legal grounds and of the amount of the fee proposed. Alternatively, we may refuse to comply with the request in such circumstances.

#### **Right to withdraw consent**

For the purposes of administering the pension scheme there are very limited situations in which we will request your consent as the lawful ground for processing we rely upon is in order to comply with legal obligations (although there are also other legal grounds which apply). In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent please contact Kevin Brent as above.

Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.