

# The University of York Pension Fund (the "Scheme")

## Privacy Notice

The Trustee is responsible for the governance and administration of the Scheme. For the purposes of the UK General Data Protection Regulation and the Data Protection Act 2018, the Trustee is the data controller in relation to the Scheme and the Trustee is ultimately responsible for compliance with all data protection laws.

This notice sets out how the Trustee obtains, uses and protects any personal data that you provide, or that is otherwise obtained or generated by the Trustee.

This privacy notice explains:

- What information the Trustee may collect about you;
- What the Trustee may use your information for;
- Who the Trustee may share your information with; and
- Your rights regarding your personal information which is held by the Trustee.

In addition, the individual appointed by the Trustee as our Scheme Actuary, and First Actuarial as their employer and our appointed Actuarial Advisers and Scheme Administrators act as joint data controllers for the personal data that they use on our behalf. This privacy notice also covers these two joint data controllers.

### 1. What do you mean by personal data?

Personal data is data relating to an individual by which he or she can be identified.

### 2. What personal data does the Trustee hold?

The Trustee works to ensure that it only holds personal data to the extent that this is required. The Trustee needs to hold personal data to be able to administer the Scheme and provide the correct benefits to members and their dependants. This information may include some or all of the following:

- 2.1 Personal details including name, address, date of birth, gender, marital status, details of dependants and national insurance number.
- 2.2 Scheme membership and employment details, including period of service, salary and contributions paid.
- 2.3 On occasion, certain sensitive personal data may need to be held (for example medical records if a member wishes to retire early on the grounds of ill health). Where we hold sensitive personal data, we will explain to you why we need it and how the information will be used – if this is required your consent would be requested.

### 3. Where does my personal data come from?

In addition to any data that has been provided by you, the Scheme also potentially receives or has received personal data from your employer, a former employer, HM Revenue & Customs, a tracing agency, your nominated financial adviser, your appointed representative, any previous pension provider with which you had benefits and external public sources for example, electoral registers, telephone directories, social media etc.

#### **4. Why does the Trustee need my personal data?**

The Trustee collects and processes your data on the basis of the legal reasons set out below:

4.1. The Trustee must hold and process personal data about members in order to carry out their legal obligations under the Scheme's Rules and legislation, including the following obligations:

4.1.1. To calculate and pay the correct benefits, and deal with any queries about these.

4.1.2. To communicate with you about your benefits and the pension scheme.

4.1.3. To pay tax charges, monitor whether allowances are exceeded and report to HM Revenue & Customs.

4.2. It is also in the Trustee's legitimate interest to be able to use the data to administer the Scheme, for example:

4.2.1. To run mortality and address checks against member records to ensure information is correct and to prevent and detect fraud.

4.2.2. For risk management purposes, including the insurance or management of longevity risks and obtaining quotations for annuities or other insurance products.

4.2.3. To otherwise ensure that the Scheme is correctly managed in line with the Trustee's duty to pay the correct benefits.

The Trustee will also seek your express consent before collecting and processing certain sensitive personal data, such as medical records. You have the right to withdraw that consent at any time and any withdrawal of consent will not impact on the lawfulness of the processing which took place prior to the withdrawal.

The Scheme Actuary and First Actuarial as appointed Actuarial Advisors and as Scheme Administrators also hold and use some of your personal data to advise the Trustee on the financial management and administration of the Scheme. The lawful reason they hold and use this data is because we and they have a legitimate interest in the provision of actuarial advice and valuations as well as Scheme administration services to us as our appointed advisers. For example, the Scheme Actuary carries out calculations to advise us if the Scheme has enough money to pay the future benefits promised to its members. This data sharing enables us to continue to administer the Scheme in a compliant manner and to ensure our duties as the Trustee are discharged lawfully.

#### **5. How long is my personal data retained for?**

The Trustee will keep your personal data, in accordance with the law and regulatory guidance, for as long as is necessary for the purpose(s) for which it was collected, in particular to enable the Trustee to administer the Scheme and pay the correct benefits, and for so long afterwards as the Trustee considers may be required to deal with any questions or complaints that the Trustee may receive about the Trustee's administration of the Scheme. When no longer needed, the Trustee will ensure that personal data is securely destroyed.

The Scheme Actuary and First Actuarial also keep a copy of the information. Should the Trustee change its Scheme Actuary, actuarial advisers or Scheme administrators, the existing provider will keep a copy of the data for a minimum of one year and a maximum of seven years after they cease to be the Trustee's advisers.

## **6. Who else is my data shared with?**

The Trustee will share your personal data as necessary with the Company Secretary and with other advisers and service providers used to help administer the Scheme, for example the Scheme's actuary, administrators, employers, legal advisers, investment advisers, insurance brokers and insurers, auditors, bankers and accountants. The Trustee may also share your personal data with organisations such as tracing, archiving, document printing and distribution and IT service providers. Where possible, your personal data will be anonymised before it is shared. We will also share personal information with law enforcement or other authorities if required by applicable law.

All such advisers and service providers have to ensure that they protect your personal data and only use your personal data in line with principles set out in data protection law. The Trustee has written agreements in place with their appointed advisers and suppliers to ensure their compliance with data protection laws and regulation.

In some circumstances, the Trustee may need to pass personal data to other third parties. Where this is required, the Trustee will take reasonable steps to ensure that such third party agrees in writing to act only on their instructions and provides appropriate guarantees in respect of their security measures to protect your data.

Your personal data may be transferred by the Trustee or on behalf of the Trustee to third parties in countries outside the European Economic Area (EEA). Where that is the case the Trustee will take reasonable steps to ensure that the processing of any personal data by the third party, including the transfer to the third party, complies with EU data protection laws and regulations, including, for example, requiring the third party to agree to the EU's data protection model clauses.

The Trustee may pass personal information to other third parties at your request, for example where you are considering a possible transfer and you have asked the Trustee to provide information to your adviser and/or to the administrators of the receiving arrangement. In this situation the Trustee will assume that you have satisfied yourself that the third party has suitable security measures in place.

## **7. What are my individual rights in relation to the processing of personal data?**

- 7.1 Right to rectification (to have incorrect or incomplete personal data updated)
- 7.2 Right of subject access (to determine what personal data is held by or on behalf of the Trustee in relation to you and to receive a copy of that personal data)
- 7.3 Right to be forgotten (to have your personal data deleted or removed if it is no longer necessary for the purpose of administering the Scheme)
- 7.4 Right to data portability (to obtain and reuse your data for your own purposes)
- 7.5 Right to lodge a complaint with the Information Commissioner's Office

Please contact the Company Secretary using the details below if you wish to exercise any of these rights.

## **8. Who should I contact if I have any queries?**

Should you have any queries in relation to this notice or the Trustee's data protection policy, then please contact the Company Secretary using the below address:

Company Secretary  
The University of York Pension Trust Limited  
Heslington Hall  
Heslington  
York  
YO10 5DD

Alternatively, further information can be obtained from the Information Commissioner:  
<https://www.ico.org.uk/>.

## **9. Updates to this notice**

The Trustee may update or amend this privacy notice from time to time to comply with the law or to meet changing business requirements. Any changes made to the privacy notice will be sent to you in writing.

*This privacy notice was last updated on 13<sup>th</sup> November 2024.*