

The Pension and Life Assurance Plan of NG Bailey (the Scheme)

Privacy notice

WHAT IS THE PURPOSE OF THIS DOCUMENT?

The Trustee is committed to protecting the privacy and security of your personal information.

This privacy notice describes how it collects and uses personal information about you and your dependants in relation to the administration of the Scheme including the payment of benefits.

This privacy notice applies to all members of the Scheme, spouses and other dependants in receipt of a pension from the Scheme, contingent beneficiaries, and former members in relation to whom we hold records. Please note that where you provide / have provided us with personal information about your dependants, you must provide them with a copy of this privacy notice.

The Trustee of the Scheme is the “data controller”. This means that it is responsible for deciding how it holds and uses personal information about you. The Trustee is required under data protection legislation to notify you of the information contained in this privacy notice.

It is important that you read this notice, together with any other privacy notice the Trustee may provide on specific occasions when it is collecting or processing personal information about you, so that you are aware of how and why it is using such information.

DATA PROTECTION PRINCIPLES

The Trustee will comply with data protection law. This says that the personal information it holds about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that it has clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes it has 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 it has told you about.
6. Kept securely.

THE KIND OF INFORMATION THE TRUSTEE HOLDS ABOUT YOU

Personal data, or personal information, means any information about an individual from which that person can be identified.

There are “special categories” of more sensitive personal data which require a higher level of protection.

The Trustee may collect, store, and use the following categories of personal information about you:

- Contact details such as your name, address, telephone number, and email address.
- Other personal information about you including your gender, date of birth, marital or relationship status and dependants, and national insurance number.
- Financial information including bank account details, payroll records, tax status information, compensation history, salary, pension and benefits information.
- Employment information including your start date of employment.

It may also collect, store and use “special categories” of more sensitive personal data such as information about your health, including any medical condition, health and sickness records. For example, it collects information pertaining to health in connection with applications for benefits payable in circumstances of ill health.

HOW IS YOUR PERSONAL INFORMATION COLLECTED?

Personal information is collected when members first apply to join the Scheme and further information is collected during the course of membership. In the case of a spouse or dependant, personal information may be collected from an expression of wishes form completed by the member, and/or by the Trustee or Scheme Administrator in the course of deciding who should receive benefits following a member's death.

HOW THE TRUSTEE WILL USE INFORMATION ABOUT YOU

The Trustee will only use your personal information when the law allows it to (its **legal basis**). Most commonly, it will use your personal information when at least one of the following legal bases applies:

1. Where it needs to comply with a legal obligation.
2. Where it is necessary for its legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
3. Where it is necessary for the performance of a contract to which you are a party.

Situations in which the Trustee use your personal information

As noted above, the Trustee needs all the categories of information in the list above (see “The kind of information the Trustee holds about you”) primarily to enable it to comply with its legal obligations*. In some cases it may use your personal information to pursue legitimate interests of its own or those of third parties**, provided your interests and fundamental rights do not override those interests. In other cases it may use your information to perform a contract or in contemplation of you entering a contract***.

In simple terms, the Trustee uses your personal information to administer the Scheme, including the calculation and payment of pension benefits. In particular, it uses your personal data for the purposes set out in the list below. The Trustee has indicated using asterisks the legal basis which applies to each purpose.

- Establishing the identity of the member or dependant *
- Establishing eligibility for benefits *
- Providing benefit quotations and other benefit statements *
- Calculating and settling benefits including the payment of pensions, AVCs, lump sums and transfer values *
- Managing members' funds, ensuring monies are recorded, invested and disinvested accordingly *
- Updating and retaining Scheme and member records *
- Demonstrating past compliance with duties *
- Preparing Trustee administration reports *
- Issuing communications and information *
- Responding to queries, complaints and disputes *
- Carrying out the actuarial valuation and calculations *
- Calculating and reconciling contributions *
- Paying tax charges, monitoring whether allowances are exceeded and reporting to HMRC *
- Ensuring compliance with contracting-out requirements *
- Preparing Scheme accounts, audits and The Pensions Regulator's Scheme Return *
- Providing reports to HMRC, The Pensions Regulator and other regulatory bodies of competent jurisdiction *
- Sharing information with the employer and other third parties (see pages 5 and 6) **

- Carrying out liability management exercises **
- Obtaining or preparing quotes for annuities or other insurance products **
- Purchasing annuities or other insurance products ***

Some of the above legal bases for processing will overlap and there may be several bases which justify the Trustee's use of your personal information. Where the Trustee processes your personal information for the purposes of complying with a legal obligation, the source of the legal obligation may be found in legislation governing the administration of pension schemes or common law fiduciary duties including the duty to act in accordance with the Scheme's governing documentation, the Trust Deed and Rules.

If you fail to provide personal information

If you fail to provide certain information when requested, the Trustee may not be able to calculate your pension benefits or to arrange payment of them.

Change of purpose

The Trustee will only use your personal information for the purposes for which it has collected it, unless it reasonably considers that it needs to use it for another reason and that reason is compatible with the original purpose. If it needs to use your personal information for an unrelated purpose, it will notify you and explain the legal basis which allows it to do so.

Please note that the Trustee may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

HOW THE TRUSTEE USES PARTICULARLY SENSITIVE PERSONAL INFORMATION

“Special categories” of more sensitive personal information (described on page 2) require higher levels of protection. The Trustee will use sensitive personal information – typically in relation to the payment of ill-health benefits - in the following ways (legal basis is indicated by an asterisk):

- Establishing eligibility for benefits *
- Demonstrating compliance with duties *
- Issuing communications and information *
- Responding to queries, complaints and disputes *
- Updating and retaining Scheme and member records *

The Trustee needs to have further justification for collecting, storing and using this type of personal information. It may process special categories of personal information in the following circumstances:

1. With your explicit written consent.

2. Where:
 - 2.1 the information is needed in the public interest and is necessary to determine eligibility for or benefits payable under the Scheme, and
 - 2.2 it is reasonable not to obtain your consent, and
 - 2.3 the processing is in line with our data protection policy.
3. Where processing is necessary for the establishment, exercise or defence of legal claims.

For example, if you apply for an ill health early retirement pension, you will be asked to provide your written consent to the processing of your medical information by the Trustee (as the Trustee will need to review your medical information to determine your eligibility to receive an ill health pension).

DATA SHARING

The Trustee may share your personal information with third parties (including third-party service providers and the sponsoring employer) where required by law, where it is necessary to administer the Scheme or where it has another legitimate interest in doing so.

The Trustee may transfer your personal information outside the EU. In those cases, except where the country has been determined by the European Commission or the relevant authority in the United Kingdom (as applicable) as ensuring an adequate level of data protection, we require the recipients of your personal information to take appropriate measures to protect your information. For example, by requiring them to enter into a data transfer agreement in the standard form approved for this purpose by the European Commission or the relevant authority in the United Kingdom (as applicable). Further details of these transfers including copies of any data transfer agreements are available on request from the Trustee.

Which third-party service providers process my personal information?

The Trustee has appointed a third party administrator, Isio (**Scheme Administrator**), to carry out the day-to-day administration of the Scheme. The Scheme Administrator may appoint one or more sub-processors to carry out some of the administration services and, in these circumstances, your personal data will be shared with these sub-processors.

The Trustee has also appointed a number of professional advisers with whom it may share your personal information, including but not limited to the Scheme Actuary (employed by Isio), legal advisers and auditors.

The Trustee shares your personal information with the Scheme's AVC providers, Equitable Life and Legal & General, and from time to time may share your personal information with insurance companies in relation to the purchase of annuities and / or other insurance products (for example Clerical Medical or JUST Group PLC).

The Trustee reviews its appointed third-party service providers from time to time and these are subject to change. For an up to date list of the professional advisers with whom your data may be shared and details of their privacy notices, please contact the Trustee.

How secure is my information with the sponsoring employer and third-party service providers?

The sponsoring employer (and wider corporate group) and all the Trustee's third-party service providers are required to take appropriate security measures to protect your personal information in line with the Trustee's policies. The Trustee does not allow its third-party service providers to use your personal data for their own commercial purposes. It only permits them to process your personal data for specified purposes.

When might the Trustee share my personal information with other entities in the Group?

The Trustee shares personal information with NG Bailey Group Limited, the sponsoring employer of the Scheme, in circumstances where the processing is necessary for the purposes of the legitimate interests of the employer (or group). For example, where information regarding the Scheme (including your personal information) is required to carry out a feasibility study in relation to a liability management exercise or the purchase of insurance contracts to secure the liabilities of the Scheme.

What about other third parties?

The Trustee may share your personal information with other third parties. For example it may need to share such personal information with a regulator or to otherwise comply with the law.

DATA SECURITY

The Trustee has put in place measures to protect the security of your information. Details of these measures are available upon request.

Third parties will only process your personal information on the Trustee's instructions and where they have agreed to treat the information confidentially and to keep it secure.

The Trustee has put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

The Trustee has 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 it is legally required to do so.

DATA RETENTION

How long will the Trustee use my information for?

The Trustee will only retain your personal information for as long as necessary to fulfil the purposes it was collected for, including for the purposes of satisfying any legal, accounting, or reporting requirements. To determine the appropriate retention period for personal data, it considers the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised

use or disclosure of your personal data, the purposes for which it processes your personal data and whether it can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances the Trustee (or others on its behalf) may anonymise your personal information so that it can no longer be associated with you, in which case it may use such information without further notice to you. Once you are no longer a member of (or otherwise no longer eligible to receive benefits from) the Scheme the Trustee will retain and securely destroy your personal information in accordance with its data retention policy.

RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION

Your duty to inform the Trustee of changes

It is important that the personal information the Trustee holds about you is accurate and current. Please keep the Trustee informed if your personal information changes during your membership of the Scheme.

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 the Trustee holds about you and to check that it is lawfully processing it.
- Request correction of the personal information that it holds about you. This enables you to have any incomplete or inaccurate information it holds about you corrected.
- Request erasure of your personal information. This enables you to ask the Trustee to delete or remove personal information where there is no good reason for it to continue to process it. You also have the right to ask the Trustee to delete or remove your personal information where you have exercised your right to object to processing (see below).
- Object to processing of your personal information where the Trustee is 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 processing of your personal information. This enables you to ask the Trustee to suspend the processing of personal information about you, for example if you want it to establish accuracy or the reason for processing it.
- Request the transfer of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that the Trustee transfers a copy of your personal information to another party, please contact the Trustee in writing.

No fee usually required

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, the Trustee may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, it may refuse to comply with the request in such circumstances.

What the Trustee may need from you

The Trustee may need to request specific information from you to help it confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

RIGHT TO WITHDRAW CONSENT

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

THE INFORMATION COMMISSIONER'S OFFICE

If you have any complaints about the processing of the personal information referred to in this privacy notice, you have the right to make a complaint to the Information Commissioner's Office (ICO) (www.ico.org.uk), the regulator and supervisory authority for data protection in the UK.

CHANGES TO THIS PRIVACY NOTICE

The Trustee reserves the right to update this privacy notice at any time, and it will provide you with a new privacy notice when it makes any substantial updates. It may also notify you in other ways from time to time about the processing of your personal information.

If you have any questions about this privacy notice or would like to exercise any of your rights in relation to your personal information, please contact the Trustee via the Scheme Administrator at the following address:

The Trustee of the Pensions & Life Assurance Plan of NG Bailey
c/o Isio
1 St Peter's Square,
Manchester,
M2 3AE