Barnett Waddingham FURBS – Privacy Notice

This Privacy Notice sets out how personal data of *beneficiaries* is used by trustees of funded unapproved retirement benefits schemes currently administered by Barnett Waddingham.

This Privacy Notice has been issued to comply with the General Data Protection Regulation (GDPR) and replaces any Fair Processing Notice issued under the Data Protection Act 1998.

Data Controllers

Data controllers are the holders, users and processors of personal data. The scheme trustees are joint data controllers and may be contacted in the first instance through Barnett Waddingham:

BW SSAS, PO Box 2095, Liverpool, L69 3HT
Email: gdpr@bwssas.co.uk
Telephone: 0333 11 11 222

It is possible that in some circumstances other professional advisers may be considered to be data controllers. This might include the Scheme's auditor or legal and financial advisers.

Use, transfer and storage of personal data

Trustees need to hold your personal data to administer the scheme, including filing reports where necessary to satisfy their legal requirements (for example, to HM Revenue & Customs) and maintaining details of benefit entitlements within the scheme. As such, they may hold any or all of the following items of personal information about *beneficiaries*:

- Personal details for identification: name, National Insurance number, gender, date of birth
- Contact details for communication: postal address, email address and telephone number.
- Financial details for payment of benefits: bank details, tax code.

Trustees may also require additional financial details such as salary history, employment details and information relating to other pension arrangements so that benefits can be calculated correctly. They may also require additional information in relation to marital status (which may include the gender of a spouse, civil partner or partner) to determine the benefits payable.

In certain circumstances, trustees may require more sensitive personal data such as descriptions relating to the physical and mental health of beneficiaries and their spouses, civil partners or partners if applicable. This may be required, for example, in order to pay an ill-health pension or secure an annuity on enhanced terms.

Personal data held is not publicly available data and in most cases is or has been provided to the data controllers directly by the individual, but on occasion it may be or have been provided by a scheme's sponsoring employer. The personal data collected relates to scheme membership or beneficial entitlement within the scheme. Personal data will be stored until such time as the trustees no longer need it and generally steps will be taken to destroy personal data seven years after the date the scheme is wound up.

Trustees currently share your data with Barnett Waddingham who assist with the running of the scheme. They may also share data with sponsoring employers, other professional advisers (including accountants, solicitors and financial advisers appointed by the trustees) and regulatory bodies (including, but not limited to, HM Revenue and Customs).

Barnett Waddingham, on behalf of the trustees, may share personal data with sub-processors for particular outsourced activities such as payroll, bulk printing jobs, confirmation of address/existence, offsite backup and archive. A comprehensive list of parties with whom data may be shared can be requested from the trustees at the address above.

Barnett Waddingham, on behalf of the trustees, will use personal data to ensure that the correct benefits can be paid and that requests can be dealt with efficiently, in accordance with the trustees' legal obligation to run the scheme in line with the Trust Deed and Rules. The trustees or administrators may contact beneficiaries directly in order to provide relevant information or respond to queries.

In addition, it is in the beneficiaries' and the trustees' legitimate interests to use personal data to:

- Maintain up-to-date and accurate records about scheme membership and beneficial entitlement
  so that the correct benefits can be paid
- Undertake risk-management exercises
  so that the risk that benefits are not paid is reduced
- Comply with the law
  so that beneficiaries, the trustees and their advisers are not subject to legal sanctions which may impact benefits
- Efficiently manage the impact of any change to the legal status of the sponsoring company
  so that benefits are not adversely affected for example by a sale or company merger

It is possible that the trustees and the partners / staff of adviser firms may take laptops and smartphones with them on trips outside of the UK and/or the EEA, indirectly causing data to be sent outside of the EEA.

Barnett Waddingham, on behalf of the trustees, have received guidance that as long as the information stays with the individual on the laptop / smartphone and their employer has an effective procedure to deal with security and the other risks of using laptops (including the extra risks of international travel), it is reasonable to conclude that adequate data protection exists.

Personal data will not be directly transferred to another country unless it is requested for this to be done.

Rights in relation to personal data

The purpose of this Privacy Notice is to fulfil the right of beneficiaries to be informed about the use of their personal data. In addition, beneficiaries have the following rights:

- To access their personal data. For copies of personal data held, please contact the data controllers at the address above.
- To have personal data rectified if it is inaccurate or incomplete.
- To have personal data deleted or removed if there is no reason for its continued storage and processing.
- To object to personal data being processed and to restrict the processing of personal data in certain circumstances. While processing is restricted, the data controllers are permitted to store the personal data to ensure the restriction is respected in future. If a restriction on processing is lifted, the individual will be informed accordingly.
- To lodge a complaint about the data controllers with the Information Commissioner's Office.

Please note that if a beneficiary chooses to exercise their rights to withhold data or insist on its deletion, then the trustees may not be able to perform their duties in relation to the scheme, and so the benefits for that beneficiary could be affected.

Further details about GDPR and your rights under GDPR can be found at https://ico.org.uk/.