

The University of Sussex Pension and Assurance Scheme ("USPAS")

Privacy Notice

Data Protection Privacy Notice - You should read this notice carefully as it contains important information about how we use your personal data in relation to USPAS. We are required to send you this privacy notice due to new regulations coming into force in May 2018 regarding personal data. You are not required to take any action.

We describe in this notice the personal data which we collect about you and other people in connection with your USPAS membership, for example, personal data about your spouse, civil partner, partner or dependant. Personal data is any information that could be used to identify a living individual.

We also describe in this notice how we use your personal data, the legal basis upon which we use it, with whom it is shared, how it is stored and certain other important information relating to the protection of your personal data.

In this privacy notice, **we** mean the University of Sussex Pension & Assurance Scheme Trustee Limited, the current trustee of USPAS (the "**Trustee** ") as a "data controller". In some circumstances we are "joint controllers" with the Scheme Actuary who will process personal data to comply with their professional duties as advisor to the Trustee Board.

How do we collect personal data about you?

We collect personal data from you in a number of different ways. For example, you may share information with us when you apply for benefits. We may also generate personal data in our running of USPAS - for example, the Scheme Actuary may generate information relating to your benefits.

We also collect personal data from the following third parties:

- The University or other USPAS participating employers.
- Providers of services that allow us to verify the accuracy of your personal data - for example, to trace your current address.
- Government agencies such as Her Majesty's Revenue and Customs (HMRC) or the National Insurance Contributions Office.

In certain circumstances, we may ask you for information relating to your health. We may do this if you cannot work any longer due to ill-health and you want to take your pension benefits early. We will only ask for as much health information as we need. We will explain to you at the time why we need that information and how we intend to use it. We may need to ask for your consent to use your health information.

You may also need to provide us with personal data relating to other people (for example, a spouse, civil partner, partner or dependant). When you do so, you should 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.

You are not required or obliged to provide us with your personal data. However, if we need your personal data and you do not provide it, it may affect how we administer USPAS in respect of your membership and we may be unable to pay certain benefits to or in respect of you.

How do we use your personal data?

We primarily use your personal data for the purposes of operating USPAS. We will, for example, process your personal data to calculate and pay your benefits, to communicate with you and to make decisions about you and your benefits (as well as about USPAS more generally).

We may also use your personal data for the purposes of complying with the rules of USPAS and with any laws, procedures and regulations which apply to us and to establish, exercise or defend our legal rights.

We may 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 for National Statistics) but this is usually completed on an anonymous basis.

If we wish to use your personal data for any other purpose, we will update this privacy notice.

What is our legal basis for using your personal data?

Under laws which are designed to protect your personal data, we need to have a legal basis each time we use, share or otherwise process your personal data.

The Trustee Board has certain duties and powers which are conferred on it by law or by the USPAS governing documentation. In most cases, the processing of your personal data is necessary so that the Trustee Board can perform those duties and exercise those powers (for example, to pay your benefits).

Certain uses of your personal data, or other processing activities, may not be strictly necessary for the Trustee to perform its legal duties, or to exercise its powers. However, it may be that certain uses of your personal data are necessary for the purposes of either (or both) the Trustee's or the Scheme Actuary's legitimate interests or the legitimate interests of a third party. Certain uses of your personal data may also be in your interests.

When we say "legitimate interests", we mean the Trustee Board or the Scheme Actuary's (or a third party's) interests in operating USPAS as properly, efficiently and securely as possible. For example, the Trustee Board may choose to use a third party to store your personal data. The Trustee Board may do this in part because its use of that service means that your personal data is more secure. If we are processing personal data in a certain way because it is in our (or a third party's) legitimate interests (not, for example, because it is necessary for the performance of our legal duties), you have the right to object to this processing by contacting the Secretary to USPAS. The address details are provided at the bottom of the document.

In certain circumstances, we may need your consent to collect and use your personal data, for example where we collect information relating to your health because you want to take your pension benefits early. If we have asked for your consent, you have the right to withdraw your consent at any time by contacting the Secretary to USPAS.

In what circumstances do we share your personal data? We may share your personal data with the following categories of third parties:

- your current or former employer within USPAS (i.e., the University or IDS);
- the scheme administrators who run USPAS day-to-day.
- the Trustee's Scheme Actuary and benefit consultants who provide advice on all aspects of running USPAS including the benefits to be provided to members, investments, communications with members and strategies for managing and mitigating the risks associated with USPAS.
- the Trustee's providers who manage any Additional Voluntary Contributions (AVCs) you pay or have paid to USPAS.
- the Trustee's accountants who prepare the USPAS annual report and accounts.
- the Trustee's auditors who audit the USPAS annual report and accounts.

- the Trustee's lawyers who advise the Trustee Board on legal issues affecting USPAS.
- the Trustee's insurers, prospective insurers and brokers, for example, in relation to any life assurance provided by USPAS.
- other companies that provide services to USPAS (or to its administrators), such as suppliers of data cleansing, verification and tracing services and information technology systems suppliers and support, including providers of data storage, email archiving, back-up, disaster recovery and cyber security services.
- regulatory bodies such as the Pensions Regulator and Her Majesty's Revenue and Customs.

We may instruct our administrators or professional advisors to share your personal data with any of the above.

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 such as Her Majesty's Revenue and Customs.
- to respond to any claims, and to establish, exercise or defend our legal rights.

Most third parties with whom we share your personal data are limited (by law) in their ability to use your personal data for the specific purposes identified by us. Certain third parties (most notably, professional advisers) are subject to additional legal or regulatory obligations (including professional codes of practice).

We will always ensure that any third parties with whom we share your personal data are subject to privacy and security obligations consistent with this privacy notice and applicable laws. If our service providers ever process personal data outside of the UK and the EEA, we will also 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.

How long do we retain your personal data?

We may keep your personal data until such point in the future as USPAS may cease to exist. We will do this where we need to use or otherwise process your personal data for the purposes set out above and, in particular, so that we can pay benefits from USPAS in the proper way. We will, therefore, keep your personal data after you have ceased to be a member of USPAS and after your death. We will also keep personal data after a spouse, civil partner, partner or dependant dies.

We will not keep your personal data for longer than we need to.

What are your rights in relation to your personal data?

You have certain rights in relation to your personal data. Those rights will not necessarily apply in all cases or to all personal data which is processed by us. For example, certain rights will not apply where we need to process personal data to comply with our legal duties.

You have the right to request that we:

- provide you with access to or a copy of any personal data which we hold about you.
- update any of your personal data which is out of date or incorrect.
- delete any personal data which we hold about you.
- restrict the way that we process your personal data.
- consider any valid objections which you have to our use of your personal data.
- provide your personal data to a third party.

We will consider all requests (including whether they apply in a particular case) and provide our response within the time period stated by applicable law. We may ask you to provide us with some further information to allow us to confirm your identity.

As we mention above, you also have the right to:

- object to processing of your personal data, where we do so because it is in our (or a third party's) legitimate interests.
- withdraw your consent to the processing of your personal data, where you have previously given your consent to this.

You can exercise your rights in relation to your personal data by contacting the Secretary to USPAS. If you exercise your rights in relation to your personal data, it may affect our ability to properly administer USPAS and your benefits under it.

As we mention below, you may also make a complaint to the Information Commissioner's Office (<https://ico.org.uk/>) which is the UK's data protection regulator.

How do we keep your personal data secure?

We are committed to protecting your personal data from loss, misuse, disclosure, alteration, unauthorised access and destruction and keeping your data secure. We take all reasonable precautions to safeguard the confidentiality of your personal data.

We use strict procedures and security features to prevent unauthorised access to your personal data.

We also take steps to ensure that any third parties with whom we share your personal data keep your personal data secure. Although we make every effort to protect the personal data which you provide to us, 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 from you to us over the internet, and that any such transmission is at your own risk.

Personal data we process.

We may collect, use or otherwise process the following types of personal data about you and, in some circumstances, about a spouse, civil partner, partner or dependant:

Names; gender; date of birth; correspondence address; e-mail address; telephone number; marital or partnership status; health; national insurance number; your current or former employer; your salary information; your status as a member of USPAS; information about your membership of USPAS (for example, the date when you joined); information about your contributions to and benefits under USPAS; tax information including your marginal rate of income tax and any protections of tax allowances that you may have in relation to your pension benefits; information about any other pension arrangements you have (for example, information which is relevant to the tax treatment of your benefits under USPAS); your bank account details.

Changes to this privacy notice

We may update this privacy policy from time to time. Any changes we make in the future will be notified to you when we next communicate with you such as with the annual summary funding statement.

Further questions or making a complaint.

If you have any questions or complaints about our collection, use or other processing of your personal data please contact the Secretary to USPAS. You can find more information about data protection on the website of the Information Commissioner's Office at <https://ico.org.uk/>

We will investigate and attempt to resolve any complaint regarding the collection, use or other processing of your personal data.

You may also make a complaint to the Information Commissioner's Office by visiting <https://ico.org.uk/>

The Trustee Board

You may contact the Trustee Board at the following address:

Secretary to the USPAS Board
Barnett Waddingham LLP
2 London Wall Place
London
EC2Y 5AU

Email: sussexuni@barnett-waddingham.co.uk

This Privacy Notice was issued in May 2018.

This Privacy Notice was updated in June 2023.