

Privacy policy for policyholders

1 Introduction

- This privacy policy explains what we do with your personal information when we manage your individual pension policy (your 'policy').
- It describes how we collect, use and process your personal information, and how we keep to our legal obligations to you when doing so. Your privacy is important to us, and we are committed to protecting your rights.
- For the purpose of the relevant data-protection legislation (including the General Data Protection Regulation (Regulation (EU) 2016/679) (the 'GDPR') we, Pension Insurance Corporation plc of 14 Cornhill, London, EC3V 3ND, are responsible for your personal information. You can contact our Data Protection Officer by emailing us at dataprotection@pensioncorporation.com.
- The GDPR has been introduced by European regulators to make sure data-protection laws (those that oversee how your personal information is handled) are fit for purpose and consistent across Europe. The GDPR will come into effect on 25 May 2018, and any references we make to it include any national legislation that puts it in place.
- This privacy policy is not a contract and we may amend it from time to time. We will make any changes to the online version of the policy, so please check our website for updates.
- If you are not satisfied with any part of our privacy policy, you may have legal rights. We have described these below (where relevant).
- When you visit our website, we collect different kinds of personal information about you and we may use this information for different purposes to those set out in this privacy policy. For details on how we handle the personal information that we collect about you when you visit our website, please see our general privacy policy at <https://www.pensioncorporation.com/privacy-policy/>.

2 What kind of personal information do we collect?

We need to collect and use information about you when managing your policy. This information could include the following.

- Your name
- Your policy number
- Your date of birth
- Your sex
- Your normal retirement age
- Your actual retirement age
- Your pension age (the earliest age at which you can take your pension without it being reduced)
- Your current address
- Whether you are married or in a civil partnership
- Any orders made if you are divorced or have had a civil partnership dissolved

- Information about your health (if you or your former trustees have provided it)
- Whether you have any dependants who may be eligible to receive a pension when you die
- Your bank account payment details
- Confirmation you are still alive
- Any information we need to decide whether a lifetime allowance charge is due for the purposes of the Finance Act 2004 or otherwise in line with the requirements of HM Revenue & Customs
- The date you joined your former pension scheme
- The date you left your former pension scheme
- Your National Insurance number
- Your payroll ID
- Information about your employment (that relates to your former pension scheme)
- The date your pension began
- Extra information that you choose to tell us
- Extra information from other sources (such as the trustees of your former pension scheme)

We need some of the personal information we collect from you so that we can keep to the contract we have with you or others. For example, when making your monthly pension payments we need your bank account details so that we can transfer the payment direct to you. We may need other information simply to make sure that our relationship with you can run smoothly. Depending on the type of information and the reasons why we may be processing it, if you refuse to give us the information we may not be able to keep to our contract or, in extreme cases, we may not be able to continue to pay your pension. For details of the legal bases that we rely on to be able to use and process your personal information, please see section 11 'Legal bases for us processing your information'.

3 How do we collect your personal information?

We collect:

1. personal information that you give to us; and
2. personal information that we receive from other sources.

Personal information you give to us

There are many ways that you can share your information with us. These include:

- when you provide information to us when we issue your policy;
- when you contact us, usually by letter, phone or email; and
- when we contact you, either by letter, phone or email.

Personal information we receive from other sources

This includes:

- when we receive information about you from the trustees or administrator of your former pension scheme; and
- when we ask for more information about you from other sources, for example, when carrying out tracing activities or confirming that you are still alive (which we may do ourselves or employ other organisations to do for us).

4 How do we use your personal information?

The main reason we use information about our policyholders is to make sure that the contract between us is in place properly, so that our relationship can run smoothly.

We may use your personal information for storing your details on our database (and updating them when necessary), so that we can:

- manage your policy;
- calculate and revalue the pension you are entitled to;
- calculate when you can start to receive your pension;
- confirm who should receive a pension when you die;
- calculate the amount of pension due to you each year;
- make payments due to you direct into your bank or building society account;
- make a transfer to another pension arrangement if a pension sharing order is made when you divorce or dissolve a civil partnership;
- monitor how long our policyholders are living;
- contact you about the services that we provide; and
- contact you with information about policyholder events.

We may use your personal information for these purposes if we consider it necessary for our legitimate interests. If you would like to know more about what this means, please see 11 b.

5 Who do we share your personal information with?

We will share your personal information mainly to make sure that we manage your policy in the most efficient way possible. Unless you say otherwise, we may share your information with any of the following groups.

- Any members of our group, which means any subsidiaries of PIC, and our ultimate holding company and its subsidiaries, as defined in section 736 of the UK Companies Act 1985.
- Third parties (other people or organisations) who work on our behalf or provide services or other arrangements to us (including data processors, subcontractors, tracing agents, external consultants and professional advisers such as lawyers, auditors and accountants, technical support functions and IT consultants carrying out testing and development work on our business technology systems).
- Re-insurers.

- Tax, audit, or other authorities, if the law or other regulation says we must share this information (for example, because of a request by a tax authority or in connection with legal action).
- If a member of the PIC group merges with or is bought or taken over by another business or company in the future, we may share your personal information with the new owners of the business or company (and tell you when we plan to do this).

6 How do we protect your personal information?

- We place great importance on protecting your information, and have appropriate measures in place to prevent anyone having unauthorised access to it or misusing it.
- We are committed to taking appropriate steps to protect your personal information from misuse, loss, or unauthorised access. We will take appropriate technical and organisational security measures (including encryption and disaster recovery plans) to make sure that your information is treated securely and in line with this privacy policy.
- We will also make sure that any third parties we have contact with have appropriate security measures and use your personal information only in line with our instructions.
- If you suspect your information has been misused or lost, or that someone unauthorised has had access to it, please let us know immediately. Please contact us first. We will investigate the matter and update you as soon as possible on the next steps.

7 How long do we keep your personal information for?

- We will not keep your personal information for longer than is necessary for the purposes for which we collect it, unless the law or another regulation says we should keep it (for example, because of a request by a tax authority or in connection with legal action).
- When it is no longer necessary to keep your personal information, we will delete it from our systems. We will try to delete your information permanently, but some of it may still exist within our systems, for example if it is waiting to be overwritten (have new information recorded over it) or is in our electronic back-up. The back-up is held on our systems until it is replaced in line with an established schedule.

8 How can you access, amend or take back the personal information that you have given to us?

One of the GDPR's main aims is to protect and explain people's rights to do with data privacy. Even if we already hold your personal information, you still have various rights in relation to it, which we have set out below.

If you want to contact us to exercise any of the rights below please write to the Data Protection Officer, Pension Insurance Corporation, 14 Cornhill, London, EC3V 3ND or email our Data Protection Officer at dataprotection@pensioncorporation.com.

If you contact us about these rights, we will try to deal with your request as soon as possible and always within one month (depending on any extensions to this period we are entitled to by law). We may keep a record of your communications to help us deal with any issues which you raise.

The GDPR gives you the following rights.

- **The right to object**

You have the right to object to us processing your personal information if we do so:

- because it is in our legitimate interests;
 - to help us to perform a task in the public interest or to meet a request from an official authority;
 - to send you marketing materials; or
 - for scientific, historical, research or statistical purposes.
- If your objection is about us processing your personal information because we think it is necessary for our legitimate interests, we must stop processing it unless:
 - we can show that we have convincing legitimate reasons for processing your information which override your interests; or
 - we are processing your information for the purposes of establishing or exercising a legal claim or in defence of a legal claim.

- **The right to withdraw permission**

If we have your permission to process your personal information for certain activities, you may withdraw this permission at any time and we will stop the activity that you agreed to, unless there is an alternative legal basis to justify us continuing to process your information. If this applies, we will tell you.

- **Data subject access requests (DSARs)**

You can ask us to confirm what information we hold about you at any time, and ask us to alter, update or delete it. We will try to delete your personal information permanently, but some of it may still exist within our systems, for example if it is waiting to be overwritten (have new information recorded over it) or is in our electronic back-up. The back-up is held on our systems until it is replaced in line with an established schedule. We may ask you for more information about your request. If we give you access to the information we hold about you, we will not charge you for this unless there are clearly no grounds for your request or it is 'manifestly unfounded or excessive'; for example, if you made the same request every week. If you ask us for further copies of this information, we may charge you a reasonable administrative cost. If we are legally allowed to do so, we may refuse your request. If we refuse your request, we will always tell you the reasons for doing so.

- **The right to delete your information**

You have the right to ask us to delete your personal information in certain circumstances. Normally, the information must meet one of the following criteria.

- The information is no longer necessary for the purpose for which we originally collected or processed it.
- You have withdrawn your permission to us processing your information, and there is no other valid reason for us to continue processing it.
- The information has been processed unlawfully (that is, in a way which does not keep to the GDPR).

- The information needs to be deleted so that we can keep to our obligations as a data controller under EU or member state law.
- It is information that we are processing because we believe it is necessary for our legitimate interests, you object to this, and we are unable to demonstrate we have overriding legitimate reasons for continuing to process it.

We can only refuse to carry out your request for one of the following reasons.

- To keep to our legal obligations.
- For archive, research or statistical purposes.
- To enforce or defend a legal claim.

If we receive a valid request to delete information, we will take all reasonably practical steps to do so. We will try to delete it permanently, but some of it may still exist within our systems, for example if it is waiting to be overwritten (have new information recorded over it) or is in our electronic back-up. The back-up is held on our systems until it is replaced in line with an established schedule.

- **The right to restrict processing**

You have the right to ask us to restrict processing your personal information in certain circumstances. This means that we can only continue to store your information and will not be able to process it until:

- one of the circumstances listed below is dealt with;
- you give your permission; or
- we need to process the information further for either the establishment, exercise or defence of legal claims, to protect the rights of another person, or for reasons of important EU or member state public interest.

You can ask us to restrict how we process your personal information in the following circumstances.

- If you believe the information is not accurate. In this case, we will restrict our processing while we confirm the accuracy of the information.
- If you object to us processing your personal information for our legitimate interests. In these cases, you can ask us to restrict the information while we confirm our reasons for processing your information.
- If the way we are processing your information is unlawful, but you would prefer us to restrict processing it rather than delete it.
- If we have no further need to process your information but you need the information to establish, exercise, or defend legal claims.

If we have shared your personal information with anyone else, we will tell them about the restricted processing unless this is impossible or involves an unreasonable amount of effort. We will tell you before we lift any restriction on processing your personal information.

- **The right to correct your information**

You have the right to ask us to correct any inaccurate or incomplete personal information that we hold about you, including by providing additional information which we will keep with your information. If we have shared this information with anyone, we will tell them we have corrected it, unless this is impossible or involves an unreasonable amount of effort. You may also ask us for details of the people we have shared the information with. If we think that it is reasonable for us not to carry out your request, we will explain our reasons for this decision.

- **The right to transfer information**

You have the right to transfer your personal information between data controllers. This means that you can transfer the details we have about you to a third party. To allow you to do so, we will give you your information in a commonly used machine-readable format so that you can transfer it. Or, we may transfer the information for you direct. This right applies to:

- personal information that we process automatically (that is, without any human intervention);
- personal information provided by you; and
- personal information that we process with your permission or to keep to a contract.

- **The right to lodge a complaint with a supervisory authority:**

You also have the right to complain to the Information Commissioner's Office. You can contact them in the following ways.

- Phone: 0303 123 1113
- Email: casework@ico.org.uk
- Live chat on their website <https://ico.org.uk/global/contact-us/live-chat>
- By post: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

If you would like to use any of these rights, or withdraw your permission to us processing your personal information, please contact us. We may keep a record of your communications to help us sort out any issues which you raise.

9 Who is responsible for processing your personal information?

We are responsible for processing your personal information. Our address is 14 Cornhill, London, EC3V 3ND. You can contact our Data Protection Officer by emailing us at dataprotection@pensioncorporation.com.

If you have any comments or suggestions about this privacy policy, please contact us. We take privacy seriously and will get back to you as soon as possible and within any timeframe we have to keep to by law.

10 How do we store and transfer your information internationally?

- So that we can carry out the purposes described in this privacy policy (for more details, please see section 4 'How do you use my personal information?') we may transfer your personal information to:
 - third parties who work for us or for one of our suppliers (including those who provide support services to us or to one of our suppliers);
 - our suppliers;
 - a cloud-based storage provider; and
 - other third parties. (For more details, see section 5 'Who do you share my personal information with?')
- We want to make sure that we store your personal information securely. So we will only transfer it outside of the European Economic Area (the member states of the European Union, together with Norway, Iceland and Liechtenstein) if it meets data protection legislation and can be transferred in a way that protects it adequately. This could be done, for example:
 - by a data-transfer agreement with a third party, including the current standard contract clauses used by the European Commission for transferring personal information by controllers in the EEA to controllers and processors in countries or states without adequate data-protection laws;
 - by transferring it to an organisation who has signed up to the EU-US Privacy Shield Framework for transferring personal information from organisations in the EU to those in the United States of America, or any equivalent agreement for other countries or states;
 - by transferring it to a country where the European Commission has found that levels of data protection are adequate;
 - if it is necessary to carry out or end a contract between us and a third party and the transfer is in your interests for the purposes of that contract (for example, if we need to transfer your information to a benefits provider based outside the EEA); or
 - if you have agreed that it can be transferred.

11 Legal bases for us processing your information

There are a number of different ways that we are lawfully able to process your personal information.

a. When it is necessary for us to carry out our obligations arising from any contract between you and us

- Article 6(1)(b) of the GDPR explains that we can process your information if it: 'is necessary for the performance of a contract to which [you] are a party.'
- The policy that we issue to you is a contract between us and you.

b. When it is in our legitimate interests

- Article 6(1)(f) of the GDPR explains that we can process your information if it 'is necessary for the purposes of the legitimate interests pursued by [us] or by a third party, except where such interests are overridden by the interests or fundamental rights or freedoms of [you] which require protection of personal data.'
- We do not think that processing your information will negatively affect you in any way. However, you do have the right to object to us processing your personal information on this basis. We have set out in section 8 how you can do this.

c. When you give us your permission

- In certain circumstances, we will try to get your 'opt in' permission before we process certain information. Article 4(11) of the GDPR states that opt-in permission is 'any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.'

This means that:

- you have to give us your permission freely, without us putting you under any pressure;
 - you have to know what you are agreeing to (so we'll make sure we give you enough information);
 - we should only ask you to agree to one processing activity at a time (we avoid 'bundling' permissions together as you don't know exactly what you're agreeing to); and
 - you need to take positive and clear action to give us your permission (we will probably provide a box for you to tick).
- If we introduce the above, we will give you more information so that you can decide whether you want to opt in.
 - You have the right to withdraw your permission. You can do this at any time (see 'The right to withdraw permission' in section 8 for details).

We do not think that any of the above activities will negatively affect you in any way. However, you have the right to object to us processing your personal information in certain circumstances (see 'The right to object' in section 8).