

c/o Punter Southall Governance  
Services  
Forbury Works  
37-43 Blagrove Street  
Reading  
RG1 1PZ



## **PRIVACY NOTICE FOR THE HARTWELLS PENSION PLAN (1971)**

### **(the “Plan”)**

The Trustees hold and process personal data about Plan members and beneficiaries in order to run the Plan. In doing so, we need to comply with relevant data protection legislation.

#### **What we do with your data**

As a data controller, the Trustees collect and process your personal data for the purposes of complying with their legal duties to administer the Plan, which include: the calculation, administration and payment of benefits under the Plan before or after your death, processing ill-health retirement claims, carrying out actuarial valuations, or dealing with any queries or complaints regarding benefit entitlements. The legal basis for doing so is in order for the Trustees to comply with their legal obligations, and other legitimate interests, such as the efficient management of the Plan. The Trustees also process personal data for other legitimate purposes relating to the operation of the Plan, for example this could include de-risking exercises or purchasing insurance policies in respect of member's benefits.

Whilst much of the data we hold has been provided by members themselves, we also hold and process data provided by the Plan's Principal Employer, Hartwell plc, and other Plan participating employers: Hartwell Finance Ltd, and Ebbon-Group (together the “**Companies**”), as well as former participating employers. We also hold and process data provided from: other pension schemes from which members have transferred, HMRC, the DWP, regulatory bodies and tracing organisations. We also receive information from members about their proposed beneficiaries, who may be eligible to receive benefits on the member's death (that information includes the full name, title, and address of potential beneficiaries). We assume that you have the consent of those individuals to provide us with this information and that you will share this privacy notice with them. We will not provide a copy of this notice to those individuals as to do so is likely to seriously impair our ability to properly pay the benefits due under the Plan.

The data we hold is to assist the Trustees in calculating and paying the benefits the members of the Plan are entitled to and this may include your name, address, salary, gender, date of birth, years of service with the Plan/ Companies, date of birth, NI number, passport numbers, contact details (including telephone number, mobile number and/or email address), details of any pension sharing orders made on divorce, financial information, such as bank account details, and pension entitlement, marital status and marriage certificate details, employment/ retirement status, death certificate details, and start date and leave date of membership with the Plan.

We also hold some special categories or “sensitive” data about individuals for the purposes of administering the Plan (for example in relation to ill-health or death benefits).

We will in most circumstances process this data in the performance of our legal obligations in connection with employment, social security and social protection (as allowed by legislation). We may also, typically when considering claims under the Plan’s Internal Dispute Resolution Procedure, process any sensitive data for the purposes of establishing, exercising or defending legal claims. If there are any occasions where we seek your explicit consent to process sensitive data then you can withdraw it at any time.

### **Who else processes your data?**

We share your personal data with certain third parties involved in running the Plan, for example, HS Pensions Administrative Services Limited (“**HS Pensions**”), as the Plan’s Administrator, Alan Rutter of Aon Limited as he is currently the Plan’s Actuary, CMS as the Trustees’ legal advisers, the Secretary to the Trustees, the Plan’s Auditors, additional voluntary contribution providers, the Trustees’ consultant, tracing organisations, printing companies, storage companies and disposal companies the Trustees’ bank account providers, and other regulatory bodies, , for example, HMRC, the Pensions Ombudsman, the Pensions Regulator and the Pensions Advisory Service.

In some circumstances we are joint controllers with third parties such as the Plan Actuary, the Trustees’ legal advisers (who may process your data to comply with their professional duties as advisers to the Trustees) and the Companies. The Companies hold your data to comply with their legal obligations as the sponsoring employers of the Plan. The Companies have a legitimate interest in the Plan being run efficiently and may have an interest in offering certain options to members. The Trustees may share information with the Companies, and their auditors and other third party advisers for this purpose.

The Companies, HS Pensions and other advisers may from time to time transfer data to other countries, including outside the European Economic Area. Where such transfers are made, the parties involved will ensure adequate safeguards are in place. If we (or our service providers) process personal data outside of the UK and the EEA, we will take appropriate measures to ensure that your personal data is adequately protected in a manner that is consistent with this privacy notice, and in accordance with applicable laws. Those measures include entering into UK European Commission approved standard contractual arrangements with them.

### **Storage of your personal data**

Pension benefits are paid over a long period and your right to benefits under the Plan is based on information which may go back many years. The Trustees will retain information relating to you whilst you are a member and we will store this information for as long as we need it.

Once your membership ends, we may decide to delete some of the data held in relation to you after 6 years. However, information may be held for longer where we consider it appropriate, which may include in order to ensure the Plan pays the correct benefits and to deal with any queries relating to your benefits (or those of your dependants) which may arise after that time.

HS Pensions will hold your personal data as the Plan administrator for so long as they are the Trustees’ appointed data processor, and may continue to hold on to your personal data after the expiry of their contract with the Trustees in order to defend any subsequent legal claims.

### **Your rights**

You have the right to access your personal data and, require that we rectify any errors in the data that we hold, or request that we erase your personal data. In some circumstances you can also require that we restrict the way we process your personal data, object to its processing or request a copy of your personal data for the purposes of

transmitting elsewhere. The Trustees are obliged to permit portability in circumstances where they have obtained consent or they are relying on a contractual obligation only. You can exercise your rights by contacting the Plan's Administrator on:

Email: Hartwells@HS-Pensions.com Telephone: 0151 448 5576.

Where we have requested and obtained your consent to process particular information, you may withdraw that consent at any time. However if we do not hold all the data we need to administer your benefits, we may not be able to pay out the benefits you are entitled to.

### **Contact details**

If you have a question about how the Plan uses your data, the contact details for the Trustees and for the other data controllers involved in running the Plan are:

The Trustees of the Hartwells Pension Plan (1971)

c/o HS Pensions Administrative Services Ltd

25 Goodlass Road

Speke

Liverpool

L24 9HJ

Telephone: 0151 448 5576

Email: Hartwells@HS-Pensions.com

### **What if you have a complaint?**

To make a complaint about how we've handled your information, contact us as set out above.

If you're not satisfied with our response to your complaint or believe our processing of your information does not comply with data protection law, you can make a complaint to the Information Commissioner's Office. Its contact details are:

Address: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

Telephone number: 0303 123 1113 or 01625 545 745

The Trustees reserve the right to amend this privacy notice from time to time.

Alan Rutter of Aon is the current Plan Actuary and as such is a joint data controller with the Trustees. Aon have prepared their own privacy notice and which can be found at: <https://www.aon.com/unitedkingdom/privacy.jsp>

March 2023