

# THE SCOTTISH ENTERPRISE PENSION AND LIFE ASSURANCE SCHEME

## PRIVACY NOTICE

We are the **trustees** of the **pension scheme**, and we hold **personal data** about you, including details of your pension, if you are a **member** or **beneficiary** of the **pension scheme**. Here is a list of the current **trustees**.

There is a **glossary** at the end of this notice to help you understand the words in bold used in this privacy notice.

### Sections:

#### Introduction

**Why do we hold your personal data?**

**What personal data do we hold?**

**How do we collect your personal data?**

**Who else receives or uses your personal data?**

**How long is your personal data held?**

**Will your personal data be kept in the UK?**

**What data protection rights do you have?**

**Your right to complain**

**How can you get more information or exercise your rights?**

#### Introduction

Because we are responsible for deciding what pensions-related **personal data** to collect about you and why and determining who the **personal data** is shared with and why, we are defined as **controllers** of your **personal data** under **data protection law**. This also means we are responsible for making sure that the **personal data** is kept secure and is not used for unlawful purposes.

The **scheme actuary** will sometimes be a joint **controller** of your **personal data** alongside us. The **scheme actuary** needs to use your **personal data** to help us work out how much funding the **pension scheme** needs and also to calculate benefits. The current **scheme actuary** is Calum Cooper of Hymans Robertson.

Hymans Robertson also provides actuarial and consultancy services for the **pension scheme**, either through the **scheme actuary** or in its own right, and when doing so it also acts as joint **controller** alongside us and the **scheme actuary**.

For more information on the **scheme actuary's** and Hymans Robertson's use of your **personal data** please visit:

[https://www.hymans.co.uk/media/uploads/How\\_Hymans\\_Robertson\\_uses\\_your\\_personal\\_data.pdf](https://www.hymans.co.uk/media/uploads/How_Hymans_Robertson_uses_your_personal_data.pdf)

We have prepared this notice to explain:

- why we hold your **personal data** and how we use it
- the **personal data** collected about you (either as a **member** or as a **beneficiary**)
- how your **personal data** is collected
- who we share **personal data** with; and
- your rights about your **personal data**.

### Why do we hold your personal data?

**Data protection law** requires us to have legal grounds for using your **personal data**. Our legal ground is that we have a “legitimate interest” in using your **personal data**, and that is to make sure the **pension scheme** is run properly and that you receive the correct benefits from it. We do not use your **personal data** for any other purpose.

Specifically, we will only use your **personal data** for the following reasons:

- to make sure the **pension scheme** is run properly
- to pay the correct pension or lump sum to you and/or your **beneficiaries**
- to make sure that the **pension scheme** is properly funded
- to make sure that you can get information and updates about the **pension scheme** where necessary; and
- to make sure that the **pension scheme** complies with the law.

If we need to use your **personal data** for an unrelated reason, we will contact you to explain this.

### What personal data do we hold?

If you are a **member** or a **beneficiary** of the **pension scheme**, we hold the following **personal data** about you:

- your name
- contact details
- date of birth
- marital status
- banking details such as your account number and sort code if we need to pay you, for example if you are a pensioner; and
- **pension scheme** information, for example your retirement age, contributions and benefits.

In addition, if you are a **member** we will also hold some information about your employment with Scottish Enterprise (SE), for example:

- national insurance number
- salary history; and
- length of service and any part time service.

In rare cases (for example, ill-health early retirement or gender re-assignment) we may need to hold **special categories of personal data** about you. Where we collect this type of information about you, we will follow the special requirements for **special categories of personal data** under **data protection law**. Generally, our legal basis for using **special categories of personal data** is because it is necessary to carry out our obligations in relation to employment, social security and social protection. However, there are limited circumstances where we rely on other legal grounds to use **special categories of personal data**. For example, we can use **special categories of personal data** with your explicit consent, or to protect against fraud (eg. where you are requesting a health related benefit) or where necessary in relation to legal proceedings (eg. to defend our position if you were to make a claim against the **pension scheme**).

### **How do we collect your personal data?**

If you are a **member**, we receive your **personal data** from SE. If you are a **beneficiary**, we receive your **personal data** either from you or on your behalf. We collect this **personal data** when you become a **member** or **beneficiary** of the **pension scheme**.

The **administration team** at Hymans Robertson manage the day to day running of the **pension scheme**. They may also receive your **personal data** from:

- you or from someone on your behalf
- HMRC or other government bodies, for example the Department for Work and Pensions; or
- medical professionals, for example if you are requesting ill health early retirement.

### **Who else receives or uses your personal data?**

The **administration team** use your personal data on our behalf when they manage the day to day running of the **pension scheme**. This makes the **administration team** a **processor** of your **personal data** under **data protection law** (but we remain the **controller**).

As well as the **administration team**, we work with other organisations who may occasionally need to access your **personal data** and these organisations are set out below. We do this to make sure the **pension scheme** is run properly. The **administration team** will only give your **personal data** to these other organisations if we tell them to.

Where necessary to make sure the **pension scheme** is run properly, we may share your **personal data** with:

- SE, as the **pension scheme's** employer; and
- the **pension scheme's** service providers and advisers including lawyers and auditors.

Although we wouldn't expect to do this regularly, we may also share your **personal data** with these other people or organisations:

- regulators, governments, law enforcement and tax authorities (in the UK or the country you live in)

- courts and tribunals (in the UK or the country you live in)
- insurance companies (for example, if we arrange for all or part of your pension to be paid by an insurance company); and
- people or organisations involved with any reorganisation of the **pension scheme** or SE in the unlikely event that either the **pension scheme** or SE needs to be reorganised.

### **How long is your personal data held?**

We will hold your **personal data** for as long as we have a reason to (see “why do we hold your **personal data**?” above). We might need to hold your **personal data** after you have left the **pension scheme** or stopped receiving any pension from it, for example, to prove that the **pension scheme** no longer needs to provide you with a pension or lump sum.

Here are some of the things we will consider when deciding how long we will hold your **personal data**:

- the amount, nature and sensitivity of the **personal data**
- how likely it is that the unauthorised use or release of your **personal data** would be harmful
- why we need to use it including whether we could do this another way; and
- **data protection law**.

### **Will your personal data be kept in the UK?**

We may transfer your **personal data** out of the UK where necessary to help us administer your pension benefits. If we do, we will make sure that any **personal data** we transfer meets the special requirements for international transfers under **data protection law**.

We may also transfer your **personal data** out of the UK if you ask us to, for example, if you move abroad and want to transfer your pension to your new country of residence.

### **What data protection rights do you have?**

Here are your data protection rights. You can:

- ask for information about the way your **personal data** is processed
- ask for a copy of your **personal data**
- ask that your **personal data** is corrected if it is inaccurate or out-of-date
- ask for your **personal data** to be deleted
- object to your **personal data** being used
- withdraw your consent to the use of **special categories of data** we hold about you, if you have previously given it; and
- receive your **personal data** and reuse it for your own purposes or for different services.

## **Your right to complain**

Please contact us if you have a complaint about how the **pension scheme** has handled your **personal data** (see “How can you get more information or exercise your rights?” below).

If you’re not satisfied with our response and you think your data protection rights are violated, you have the right to complain to the Information Commissioner’s Office (the ICO).

You can write to the ICO at:

Information Commissioner’s Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

You can also call 0303 123 1113 or visit the ICO’s website at [ico.org.uk](http://ico.org.uk).

## **How can you get more information or exercise your rights?**

Please let us know if you would like to:

- see the information we hold about you
- exercise your data protection rights, including making a complaint; or
- ask for **personal data** to be corrected if it is inaccurate or out of date.

You can contact us by emailing [scenadmin@hymans.co.uk](mailto:scenadmin@hymans.co.uk) or calling 0141 566 7655. You can also write to us at:

The trustees of the Scottish Enterprise Pension and Life Assurance Scheme  
Hymans Robertson  
20 Waterloo Street  
Glasgow  
G2 6DB

You can write to SE at:

Scottish Enterprise  
Atrium Court  
50 Waterloo Street  
Glasgow  
G2 6HQ

## Glossary

<b>Administration team</b>	The team at Hymans Robertson who manage the day to day running of the <b>pension scheme</b> .
<b>Beneficiary</b>	Any person other than a <b>member</b> who is entitled to a pension and/or lump sum from the <b>pension scheme</b> (for example, a deceased <b>member's</b> spouse or civil partner).
<b>Controller</b>	A person under <b>data protection law</b> who decides what <b>personal data</b> to collect about you and why, and determines who your <b>personal data</b> is shared with and why. They have special duties under <b>data protection law</b> .
<b>Data protection law</b>	UK law relating to privacy and data protection.
<b>Member</b>	Any person who is entitled to a pension and/or lump sum from the <b>pension scheme</b> as a result of their employment with SE.
<b>Pension scheme</b>	The Scottish Enterprise Pension and Life Assurance Scheme.
<b>Personal data</b>	Information about you from which you could be identified.
<b>Processor</b>	A person who uses your <b>personal data</b> to carry out tasks on behalf of a <b>controller</b> .
<b>Scheme actuary</b>	The person appointed by the <b>trustees</b> to work out how much funding the <b>pension scheme</b> needs and to carry out complex benefit calculations. The current scheme actuary is Calum Cooper of Hymans Robertson.
<b>Special categories of personal data</b>	These are categories of <b>personal data</b> which are especially sensitive and subject to special protections under <b>data protection law</b> , for example health data and information on gender re-assignment.
<b>Trustees</b>	The people who are responsible for running the <b>pension scheme</b> .

