

## GE Capital Pension Scheme

### GDPR and why it matters to you

The General Data Protection Regulation, or GDPR, will replace the UK Data Protection Act 1998 on 25 May 2018. GDPR will help to align data protection laws across Europe, and will apply to UK laws and UK citizens despite Brexit.

GDPR gives individuals more rights to their data, where it's held and what it's used for. The regulation affects all EU citizens, regardless of location, meaning that **all** companies and corporations who are established in the UK and Europe, holding personal data from EU citizens or anyone else, are legally obliged to comply with GDPR.

#### Personal information and what we do with it

The Trustee of the GE Capital Pension Scheme (the Scheme) needs personal information about you to run the Scheme and pay benefits. Similarly, other parties involved in running the Scheme will sometimes need to make decisions jointly with the Trustee about how your personal information will be used for those purposes. When we use the term our '**Trustee Advisers**', this means the Scheme Actuary (currently Gareth Boyd of Willis Towers Watson). In legal terms, the Trustee and the Trustee Advisers are 'joint data controllers' in respect of this information. This means that we need to tell you some things about the personal information we have about you and what your rights are in relation to it.

In this notice, you will see information about what the Trustee does with your personal information, and also what the Trustee Advisers do with it. We describe who to contact if you wish to exercise your rights under data protection laws in relation to the joint use we make of your information.

Except where stated otherwise, 'we' means both the Trustee and the Trustee Advisers where they are acting as joint data controllers in relation to your personal information (as described above).

Please note that this is the Trustee's notice which also describes what the Trustee Advisers do with data. You can see a more complete notice about what the Scheme Actuary does with your data at [www.willistowerswatson.com/personal-data](http://www.willistowerswatson.com/personal-data). To be clear – this notice relates to Willis Towers Watson as the Scheme Actuary and not in their role as the Scheme administrator (see below).

#### What personal information we hold

We normally hold some or all of the following types of personal information.

- Your name, date of birth, National Insurance number and bank account information (where benefits are in payment).
- Contact details (including your address, phone number and email address).
- If your benefits from the Scheme derive from your employment, details of your employer when you were building up benefits in the Scheme, how long you worked for them and your salary from time to time.
- Whether you are married or in a civil partnership and other information we might need to pay any benefits due on your death.
- Any information you have provided about who you would like to receive any benefits due on your death.
- If your benefits from the Scheme form part of a divorce settlement, details of that settlement.
- Other personal information which you voluntarily provide to us in your correspondence or communications and which is about yourself and other people (**please note**: we do not wish to collect additional and what might be unnecessary personal information in this way – please do only send us the categories of personal information we ask you for or which our administrator (details below) specifically asks you for on our behalf).

We may sometimes use other information about you. This could include information about your health where it is relevant to, for example, early payment of benefits from the Scheme, or details about personal relationships to determine who should receive benefits on your death. We might also, very rarely, have information about criminal convictions and offences, but only where it is relevant to the payment of Scheme benefits.

#### Where we get personal information from

Some of the information the Trustee has comes directly from you. In addition, Willis Towers Watson, who also administer the Scheme on behalf of the Trustee may have obtained information from you and passed it to us. The Trustee may then in turn pass information about you to the Trustee Advisers or may instruct the administrator to do so. The Trustee is the source of the personal information which the Trustee Advisers have about you.

Sometimes the Trustee gets information from other sources: for example, from your Scheme employer (for information such as your salary and length of service); from another scheme if you have transferred benefits from that scheme; from government departments such as HMRC and DWP; and from publicly accessible sources (e.g. the electoral roll) if the Trustee has lost touch with you and is trying to find you. The Trustee may in turn pass this to the Trustee Advisers (as above).

If the Trustee asks you for other information in the future (for example, about your health), it will explain whether you have a choice about providing it and the consequences for you if you do not do so.

### **Why we hold personal information and how we share it**

The Trustee must by law provide benefits in accordance with the Scheme's governing documentation and must also meet other legal requirements in relation to the running of the Scheme.

The Trustee will use your personal information to comply with these legal obligations, to establish and defend its legal rights, and to prevent and detect crimes such as fraud. The Trustee may need to share your personal information with other people for this reason, such as courts and law enforcement agencies.

The Trustee also has a legitimate interest in properly administering the Scheme. This includes: paying benefits as they fall due; purchasing insurance contracts; communicating with you; and ensuring that correct levels of contributions are paid, benefits are correctly calculated and the expected standards of Scheme governance are met (including standards set out in Pensions Regulator guidance).

To achieve this, the Trustee may share your personal information with various people, including: any new trustees or trustee directors; the Scheme employers; the Scheme administrator; the Trustee Advisers; the Trustee's other professional advisers; auditors; insurers; HMRC; the Pensions Ombudsman; IT and data storage providers. In addition, the Trustee may share it with other service providers such as Duradiamond who is a provider of occupational health services (see more details below about this). If your benefits are transferred to another scheme, the Trustee will also need to provide the administrators of that scheme with information about you.

When the Trustee needs to use information about your health (or other very personal information), it may ask for your consent. However, sometimes there may be reasons of public interest or law which enable the Trustee to use this information without consent, and it will do so where that is necessary to run the Scheme in a sensible way. You can withdraw your consent at any time by contacting the Trustee using the contact details given below. This may affect what the Trustee can do for you, unless it has another lawful reason for using your information.

The Trustee may also share your personal information with someone else where you have given your consent – for example, where you transfer your benefits out of the Scheme.

The Scheme's employers may also have a legitimate interest in contacting you about your benefits under the Scheme, and any additional options which may be available to you in relation to those benefits. In such circumstances, the Trustee may share your personal information with the employers so that they can contact you for that purpose.

### **Scheme Actuary**

The Scheme Actuary is appointed by the Trustee to value the Scheme benefits and carry out other calculations in relation to your Scheme benefits. He will use your personal information for this purpose and has a legitimate interest in doing so. The Scheme Actuary will also use your personal information to comply with his own legal obligations, and may need to share your details with other people, such as courts and law enforcement agencies, for legal reasons. He may also share it with his own professional advisers, auditors and insurers, IT and data storage providers and other service providers.

In some circumstances the Scheme Actuary may also be able to fulfil the purpose mentioned above using information which the Trustee has anonymised before sharing with him.

### **How to contact the other people we give your personal information to**

Some of the people mentioned above just use your personal information in the way we tell them. However, others (including the Trustee Advisers) may make their own decisions about the way they use this information to provide their services, perform their functions, or comply with their regulatory requirements. In such a case, they have responsibilities as data controllers in their own

right. This means that they are subject to the same legal obligations as us in relation to your information, and the rights you have in relation to your information apply to them, too.

If you want any more information from the Trustee Advisers or from any other people who receive your personal information from us, or to exercise any rights in relation to the information they hold, please contact the Trustee and it will put you in touch with them.

### **How long we keep your personal information for**

We need to keep your personal information for long enough to make sure that we have enough information to:

- pay any benefits due to or in respect of you;
- answer any queries you (or others acting on your behalf) may have about your benefits;
- respond to any complaints or other claims; and
- satisfy our legal obligations in relation to the Scheme.

To meet this aim, the personal information that we hold will be kept for however long we sensibly think we need it to deal with queries from you or your beneficiaries/other persons who might ask us if they are entitled to payments, complaints (from you or them) and our legal obligations mentioned above.

### **Your rights in relation to your personal information**

You have rights in relation to the personal information we hold about you. You have the right to:

- make a request to have your personal information corrected if it is inaccurate, and completed if it is incomplete;
- in particular circumstances, restrict the processing of your information;
- in particular circumstances, ask to have your information erased;
- request access to your information and to obtain information about how we process it;
- in particular circumstances, move, copy or transfer your information;
- in particular circumstances, object to us processing your information;
- not be subject to automated decision-making including profiling where it produces legal or other significant effects on you.

You can exercise all of these rights free of charge except in some very limited circumstances, and we will explain these to you where they are relevant.

To exercise these rights, please use Scheme administrator's contact details, which are set out below. The Scheme administrator can also supply more information about these rights to you, on request.

The Trustee has agreed with the Trustee Advisers that the Trustee will be responsible for dealing with requests from you in respect of your rights if those requests relate to the joint use of your personal information described in this notice. This means if you wish to exercise rights against the Trustee and the Trustee Advisers for what they do jointly with your personal information, you should contact the Trustee via the Scheme Administrator using the contact details set out below.

### **Keeping your information safe**

When we pass your information to a third party, we seek to ensure that they have appropriate security measures in place to keep your information safe and to comply with general principles in relation to data protection.

Some of the people we share your information with may process it overseas. This means that your personal information may on occasion be transferred outside the UK and the European Economic Area. Some countries already provide adequate legal protection for your personal information, but in other countries, additional steps will need to be taken to protect it.

You can contact us for more information about the safeguards we use to ensure that your personal information is adequately protected in these circumstances (including how to obtain copies of this information).

### **Other service providers**

Aon is a data controller separate and distinct from the Trustee for the secretarial services it provides specifically in relation to handling member correspondence and complaints under the internal disputes resolution process.

Please note that Aon is not what is described above as 'Trustee Advisers' and that is why you will need to contact Aon directly if you wish to exercise rights against it. Aon is not acting jointly with

the Trustee when it makes decisions using personal information about you. This means that you will need to read the Aon privacy notice available here: <http://www.aon.com/unitedkingdom/products-and-services/human-capital-consulting/aon-hewitt-actuarial-services-privacy-statement.jsp> to find out about how it processes your personal information and you will need to contact Aon directly using the details in its own privacy notice (Data Protection Officer, Aon Limited (Retirement and Investment UK), PO Box 730, Redhill, RH1 9FH [RI.UK.PrivacyChampions@aon.com](mailto:RI.UK.PrivacyChampions@aon.com)) if you wish to exercise rights under data protection laws against Aon.

Duradiamond, who is a provider of occupational health services, has its own privacy notice for what it does as data controller independent of the Trustee is in the "data protection guide" which is issued on its portal and with each appointment. It will be shared with you directly by Duradiamond when relevant.

### **Queries and further information**

If you want more information about what we do with your information and what your rights are, please contact the Trustee via the Scheme administrator at:

Email: [GEpensions@willistowerswatson.com](mailto:GEpensions@willistowerswatson.com)

Phone: 01737 227566 (lines are open 9am to 5pm, Monday to Friday)

Write to: GE Pensions, Willis Towers Watson, PO Box 545, Redhill, Surrey RH1 1YX.

If you have concerns about the way we handle your personal information, you can contact the Information Commissioner's Office or raise a complaint at [www.ico.org.uk/concerns](http://www.ico.org.uk/concerns), or call its helpline on 0303 123 1113.