

# Habib Bank Limited Pension and Life Assurance Scheme

## Privacy Notice

The General Data Protection Regulation (GDPR) requires organisations to be more transparent and accountable to individuals about how it manages and controls their data. This Privacy Notice sets out how the Habib Bank Pension and Life Assurance Scheme (the “Scheme”) manages its members' data, including who it shares data with and for what purposes it is used.

### Introduction

As a member of the Habib Bank Limited Pension and Life Assurance Scheme (“the Scheme”), PAN Trustees UK LLP, being an independent professional trustee, acts as the Trustee of the Scheme, and as such is the Data Controller for the Scheme. The Scheme Actuary who is employed by Atkin Pensions is a joint Data Controller. All other advisers and service providers to the Scheme act as Data Processors.

The scheme administrator, Atkin Pensions, collect and processes personal data relating to your membership of the scheme. The Trustee is committed to being transparent about how it and Atkin Pensions collects and uses that data and to meeting its data protection obligations.

Please note, the Scheme's Independent Trustee (PAN Trustees UK LLP (“PAN”)) may continue to hold personal data collected through its role as a Trustee even when it is no longer a Trustee of the Scheme. Information about PAN's approach in this situation to data security as a firm can be found at <https://www.pantrustees.co.uk/Scheme-GDPR/>

### Who is, or has, Collected the Data?

Data has been collected primarily from Habib Bank Limited (“the Company”), at the time of joining the Scheme or information you have provided to the Trustee either directly or via one of their service providers. Any data collected subsequently will be collected either directly from you as a member or via such agencies that can trace members who have moved since the original data collection was made. Some information may come from other third parties such as HMRC.

### What data is being, or has been collected?

The company, the Trustee and Atkin Pension collect, or have collected, information necessary to be able to process your pension and other benefits under the Scheme. This could include:

- Personal details such as your name, gender, date of birth, national insurance number, address, telephone numbers, email address.
- Employment details such as the dates you were employed by the Company and were in the Scheme and salary information.
- Benefits you accrued under the rules of the Scheme
- Financial information such as bank account details, income tax information, earnings details, protections relating to your pension.
- Data may also be held about your marital status, next of kin and dependants
- Information about your health, for example to assess eligibility for benefits payable on ill health.

The Trustee and the Scheme administrator strive to retain only information necessary for the calculation and payment of pensions due and will not keep data not required for this process or for longer than is necessary.

We may from time to time also need to process your personal data which is deemed by law to be 'special category' (or 'sensitive') and requires a further level of protection. In most cases sensitive data will only be required where a request for ill-health retirement benefits is made under the rules of the Scheme. Such data would only be used to satisfy the requirements of HM Revenue & Customs and the Scheme's rules.

You should ensure that such sensitive personal data and information is only provided when it is absolutely necessary.

### **What is the legal basis for processing the data?**

There are a number of legal bases for processing data under GDPR, the following are relevant for the processing the data of Scheme members:

- Processing is necessary for the performance of a contract with the data subject or to take steps to enter into a contract.
- Processing is necessary for compliance with a legal obligation.
- Processing is necessary for the purposes of legitimate interests pursued by the controller or a third party, except where such interests are overridden by the interests, rights or freedoms of the data subject.

### **Updating member data**

It is important that the data held for each data subject is accurate and up to date. Members may notify us of changes in their circumstances (marriage, divorce, change of address etc.). All notices relating to such changes must be made in writing to Atkin Pensions or the Trustee and provide the member's name, date of birth, address and national insurance number. All notices should be signed by the member. Notices concerning changes in

name or marital status will need to include the original certificate as evidence of the change (marriage certificate, deed poll, decree absolute etc.)

### **Rectifying data errors**

If any data held is proved to be incorrect we will change it. Documentary evidence that confirms the correct details will be required before data is changed, for example, original payslips, P60s/P45s, letters from HMRC or government agencies, birth, marriage and death certificates.

### **Sensitive data**

Sensitive, or 'special category', data relates to information concerning a person's racial or ethnic origin, political opinions, religious beliefs, trade union activities, physical or mental health, sexual life, or details of criminal offences.

Apart from cases as noted above where a person's medical information may be required for ill-health retirement, the Trustees and its data processors will not intentionally or systematically seek to collect, store or otherwise use information classed as 'sensitive personal data' We cannot prevent members or their advisers from disclosing this information as part of their correspondence with us. Members should ensure that such information is only provided where it is absolutely necessary.

### **Will the data be shared with 3<sup>rd</sup> parties?**

The Trustee and its data processors may share your information with others in limited circumstances connected to the interests of the members and the purposes of the Scheme. We may need to disclose member information if required by law. If we are unable to obtain instructions, we may share information where we believe it is in your legitimate interests for us to do so. We will seek at all times to ensure that your information is shared in a secure manner. Whilst we will make best efforts to protect your information, we cannot guarantee the security of data transmitted by website, e-mail, post or phone. We have strict procedures in place to uphold the security of information and will continue to monitor and develop the protection provided over time. The parties with whom data may be shared include:

- The Trustee of the Scheme;
- The Company
- The Scheme's actuary, administrator, auditor and legal adviser;
- The Scheme's investment manager and insurance companies (where benefits are secured or insured with an insurance company);
- HM Revenue & Customs;
- The Department for Work & Pensions;

- The Pensions Regulator;
- The Scheme's bank;
- The Pensions Ombudsman (where members have raised complaints);
- The Money and Pensions Service (where members have approached them for guidance);
- Tracing and mortality screening agencies.

Atkin Pensions may use subcontractors for certain tasks related to the administration of the Scheme, verifying identity and fraud prevention. Third parties will be bound by the same data protection rules that apply to the main service providers. Data will not be used for marketing or any other non-pension related purposes.

### **How will the information be used?**

Information on Scheme members is held to allow us to pay pension and death benefits in line with Scheme rules and overriding pension legislation. Each individual is a 'data subject' who has rights in relation to the data held by the Trustee as Data Controller and the Data Processors. The purposes include, but are not limited to:

- a. Writing, calling or sending e-mails to members with information concerning their benefits or the Scheme.
- b. Calculating and paying pensions at normal, late or early retirement.
- c. Calculation and payment of trivial commutation and small lump sum benefits.
- d. Calculating and paying death benefits.
- e. Calculating and settling transfer payments.
- f. Calculating and adjusting benefits in relation to divorce proceedings.
- g. Answering member queries or those of their professional advisers.
- h. Calculating and paying pension increases.
- i. Providing data to the Scheme Actuary for actuarial purposes such as triennial valuations, transfer values and insufficiency reports.
- j. Preparation of annual scheme accounts and provision of information to the Scheme auditor.
- k. Correspondence with government agencies, local government agencies and official bodies, including HM Revenue & Customs, the Department for Work and Pensions, National Insurance Contributions Office, the Pensions Regulator and the Pensions Ombudsman.
- l. Using tracing agencies where contact with members or beneficiaries has been lost.
- m. Carrying out mortality screening to check if pensioners are still alive.
- n. Assessing the feasibility of and implementing member option exercises.
- o. Securing Scheme benefits with insurance companies or other exercises to reduce risks for the Scheme.

## **Transferring data outside of the United Kingdom**

In most cases, data will not be transferred outside of the UK. If data is transferred outside of the European Economic Area (EEA) this will only be completed where your data controller has provided us with authority and consent to do so and has informed you of the transfer. We will ensure that any such transfer is legitimate and in accordance with data protection legislation. The information sent as part of such a transfer will be minimised to the greatest extent possible.

## **Automated decision making and profiling**

No significant decisions about individuals are made by wholly automated means. The Trustee and its processors do not carry out 'profiling' which is automated processing intended to evaluate certain personal aspects of an individual (for example, health, location or economic situation).

## **Queries and Complaints**

If any member has concerns about the data that is held on them or the way that it has been stored or transferred they should contact the Trustee directly using the contact details given below. The Trustee is registered with the Information Commissioner's Office (ICO).

Any member that has concerns about the way in which the data controller or data processors have handled your personal information may contact the ICO directly. The ICO's website can be found at <https://ico.org.uk/>

Their telephone number is 0303 123 1113.

## **How long will the data be stored for?**

The data will be held for as long as you are a member of the Scheme and for 15 years after you have ceased to be a member. It might be held longer than this if the Trustee has a legitimate reason for doing so.

## **How will the organisation protect data?**

The Trustee takes the security of your data seriously.

Where the Trustee engages third parties to process personal data on its behalf, in this case Atkin Pensions, they do so on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data. Furthermore, the Trustee has sought to gain satisfactory evidence that Atkin Pensions as, a data processor, has sufficient controls in place and this has been evidenced by independent third-party organisations and copies of their reports, alongside the Data Security Policy of Atkin, are available on request from [email@atkin.uk.com](mailto:email@atkin.uk.com)

## **What rights does the data subject have?**

As a data subject, you have a number of rights. You can:

- expect to be informed what data is being collected, how it's being used, how long it will be kept and whether it will be shared with any third parties;
- access and obtain a copy of your data on request;
- require the organisation to change incorrect or incomplete data;
- require the organisation to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing or managing the employer and employee relationship;
- require the organisation to limit the way it uses your personal data; and
- object to the processing of your data where the organisation is relying on its legitimate interests as the legal ground for processing.

### **Requests for copies of data**

We will provide you with a copy of the personal (and where applicable sensitive personal data) we hold about you on written request.

Copies of requested personal data will be provided within one calendar month of a request being made in writing (via post or e-mail) from you. For security purposes, data will be issued via postal delivery to the member's home address.

Before any data is issued, Atkin Pensions will require proof of identity from the data subject to reduce the risk of personal data being sent to a third party who is not entitled to it. If a request for data is made via a third party, such as a solicitor or independent financial adviser, Atkin Pensions will require an original letter of authority as well as proof of identity from the data subject.

If you believe that the organisation has not complied with your data protection rights, you should in the first instance contact the Group Finance Director in their capacity as Data Protection Manager. If your complaint is not remedied to your satisfaction you also have the right to contact the Information Commissioner at <https://ico.org.uk/global/contact-us/>

Last reviewed: May 2023