Tayside Pension Fund

FULL PRIVACY NOTICE
for the members and beneficiaries of the Tayside Pension Fund

This privacy notice is for members and beneficiaries (referred to as “**you**”) of the Tayside Pension Fund (the **"Fund"**). It has been prepared by Dundee City Council (the **"Administering Authority"**, or **"we"**) in its capacity as the administering authority of the Fund. This privacy notice describes how we collect and use personal data in accordance with data protection legislation.

This privacy notice will also be made available on the Fund's website at the following link: https://www.taysidepensionfund.org/resources/full-privacy-notice/

It is important that you read this privacy notice together with any other privacy notice or fair processing policy we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy notice replaces any general privacy notice we may have previously issued and supplements any other notices and privacy policies we issue that are specific to particular data collection / processing activities.

Why we are providing this notice to you

As the Administering Authority of the Fund, we hold certain information about you and from which you can be identified (**"personal data"**) which we use to administer the Fund and to pay benefits from it. In line with data protection legislation, we are required to give you specified information about the personal data we hold about you, how we use it, your rights in relation to it and the safeguards that are in place to protect it. This notice is designed to give you that information.

The technical bit

Most of the personal information we use is processed because it is necessary to carry out our function as administering authority for administering the Local Government Pension Scheme and managing Tayside Pension Fund. Our role is set out in the Local Government Pension Scheme (Scotland) Regulations 2018 and related legislation. In data protection legislation, this is known as processing information because it is 'necessary for the performance of a task carried out in the public interest or in the exercise of official authority'. In limited situation, we may also process personal data where we are legally required to do so, or where another lawful basis under data protection law applies.

What personal data we hold, and how we obtain it

The types of personal data we hold and process about you can include:

- Contact details, including name, address, telephone numbers and email address.
- Identifying details, including date of birth, national insurance number, employee membership numbers and, if you have used a pensions dashboard to access information about your pension, a "pension identifier" (PEI), which is used to confirm a match and identify your specific benefits under the Fund for the purposes of displaying information via a dashboard.
- Information that is used to calculate and assess eligibility for benefits, for example, length of service or membership and salary information.

- Financial information relevant to the calculation or payment of benefits, for example, bank account and tax details.
- Information about your family, dependants or personal circumstances, for example, marital status and information relevant to the distribution and allocation of benefits payable on death.
- Information about your health, for example, to assess eligibility for benefits payable on ill health, or where your health is relevant to a claim for benefits following the death of a member of the Fund.
- Information about a criminal conviction if this has resulted in you owing money to your employer or the Fund and the employer or the Fund may be reimbursed from your benefits.
- Information about any previous membership of other public service pension schemes and other LGPS administering authorities, including your date of leaving and whether the previous scheme /authority has assessed your eligibility for underpin protection (see "How we will use your information" below).

When we're in contact with you by phone, we'll collect and store your phone number and a recording of the call.

We obtain some of this personal data directly from you. We may also obtain data (for example, salary information) from your current or past employer(s) or companies that succeeded them in business, from a member of the Fund (where you are or could be a beneficiary of the Fund as a consequence of that person's membership of the Fund) and from a variety of other sources including public databases (such as the Register of Births, Deaths and Marriages), a pensions dashboard (when you use it to access your pensions information), our advisers and government or regulatory bodies, including those in the list of organisations that we may share your personal data with set out below.

Occupational health providers, AVC providers, solicitors, your previous pension scheme, and HMRC may also provide us with your personal data

Where we obtain information concerning certain "special categories" of particularly sensitive data, such as health information, extra protections apply under the data protection legislation. We will only process your personal data falling within one of the special categories with your consent, unless we can lawfully process this data for another reason permitted by that legislation. You have the right to withdraw your consent to the processing at any time by notifying the Administering Authority in writing. However, if you do not give consent, or subsequently withdraw it, the Administering Authority may not be able to process the relevant information to make decisions based on it, including decisions regarding the payment of your benefits.

Where you have provided us with personal data about other individuals, such as family members, dependants or potential beneficiaries under the Fund, please ensure that those individuals are aware of the information contained within this notice.

How we will use your personal data

We will use this data to deal with all matters relating to the Fund, including its administration and management. This can include the processing of your personal data for all or any of the following purposes:

- To contact you.
- To assess eligibility for, calculate and provide you (and, if you are a member of the Fund, your beneficiaries upon your death) with benefits.
- To identify your potential or actual benefit options and, where relevant, implement those options.
- To facilitate your access to your pension information via a Pension Dashboard.

- For statistical and financial modelling and reference purposes (for example, when we assess how much money is needed to provide members' and beneficiaries' benefits and how that money should be invested).
- To assess and, if appropriate, action a request you make to transfer your benefits out of the Fund.
- To comply with our legal and regulatory obligations as the administering authority of the Fund.
- To address queries from members and other beneficiaries and to respond to any actual or potential disputes concerning the Fund.
- The management of the Fund's liabilities, including the entering into of insurance arrangements and selection of Fund investments.
- In connection with the sale, merger or corporate reorganisation of or transfer of a business by the employers that participate in the Fund and their group companies.
- To identify whether you qualify for underpin protection. For more information please see https://www.scotlgpsmember.org/mccloud-remedy/.

Organisations that we may share your personal data with

From time to time, we will share your personal data with advisers and service providers so that they can help us carry out our duties, rights and discretions in relation to the Fund. Some of those organisations will simply process your personal data on our behalf and in accordance with our instructions; they are referred to as processors. Other organisations will be responsible to you directly for their use of personal data that we share with them; they are referred to as controllers. The controllers may be obliged under the data protection legislation to provide you with additional information regarding the personal data they hold about you and how and why they process that data. Further information may be provided to you in a separate notice or may be obtained from the advisers and service providers direct, for example via their websites.

Whenever one of our advisers or service providers acts as a joint controller with us in respect of your personal data, because we jointly determine the purposes and means of processing it, we will agree with them how we are each going to meet our respective and collective obligations under the data protection legislation. If you would like more information about how such an arrangement works please contact us using the contact details below.

The organisations that we may share your personal data with may include the following advisers and service providers:

Processors	Controllers
• Accountants • Overseas payments provider to transmit payments to Fund members and beneficiaries with non-UK accounts – (currently Convera) • Integrated service provider(s), facilitating connections to a pension dashboard – (currently Heywood Pension Technologies) • Printing companies – (currently Xerox) • Pensions software provider – (currently Heywood Pension Technologies) • Suppliers of IT, document production and distribution services	• Fund Actuary – (currently Barnett Waddingham) • Additional Voluntary Contribution providers – (currently Prudential and Standard Life) • Legal adviser – (currently Pinsent Masons LLP) • External auditor – (currently Audit Scotland) • Internal auditor - (currently Dundee City Council) • Tracing bureaus for mortality screening and locating members and beneficiaries – (currently Heywood Pension Technologies) • LGPS National Insurance database – (currently South Yorkshire Pensions Authority) • The Department for Work and Pensions • The Government Actuary's Department • The Cabinet Office – for the purposes of the National Fraud Initiative • HMRC • The Courts – for the purpose of processing pension sharing orders on divorce • The Scottish Public Pensions Agency • Money & Pensions Service (MaPS) where necessary in their capacity to provide the central Digital Architecture for the Pensions Dashboard Programme • Administering authorities of other LGPS funds (or their agents, such as third party administrators) where you have been a member of another LGPS fund and the information is needed to determine the benefits to which you or your dependants are entitled • Administrators of other public service pension schemes where you have been a member of another public service pension scheme and the information is needed to determine if you qualify for underpin protection

Joint Data Controllers

Fund Actuary – Barnett Waddingham

When providing actuarial services Barnett Waddingham considers that it a joint data controller with Tayside Pension Fund and as such both Barnett Waddingham and Tayside Pension Fund have data controller responsibilities.

The privacy policy for Barnett Waddingham can be found at - https://privacy.bwllp.co.uk/bw/privacy-policy.pdf

In each case where we share your personal data, we will only do this to the extent that we consider the information is reasonably required for these purposes.

From time to time, we may provide some of your data to your employer and their relevant subsidiaries (and potential purchasers of their businesses) and advisers for the purposes of enabling those entities to understand the liabilities and obligations of the employer regarding the Fund. Your employer would generally be a controller of the personal data shared with it in those circumstances. For example, where your employment is engaged in providing services subject to an outsourcing arrangement, the Administering Authority may provide information about your pension benefits to your employer and to potential bidders for that contract when it ends or is renewed.

The pensions dashboard framework requires us to share personal data within the dashboards ecosystem. When a member searches for information about their pensions online via a pensions dashboard, we receive certain personal data for the purposes of identifying a match with the member's pension in the Fund. We then need to provide certain pensions information to the dashboards ecosystem so that it can be displayed via the relevant dashboard.

Where requested or if we consider that it is reasonably required, we may also provide your data to government bodies and dispute resolution and law enforcement organisations, including those listed above, the Pensions Regulator, the Pensions Ombudsman and Her Majesty's Revenue and Customs (HMRC). They may then use the data to carry out their functions.

The organisations referred to in the paragraphs above may use the personal data to perform their functions in relation to the Fund as well as for statistical and financial modelling (such as calculating expected average benefit costs and mortality rates) and planning, business administration and regulatory purposes. They may also pass the data to other third parties to the extent they consider the information is reasonably required for a legitimate purpose.

Transferring information outside the UK

In some cases recipients of your personal data may be outside the UK. As such, your personal data may be transferred outside the UK to a jurisdiction that may not offer an adequate level of protection as is required by the UK Government.

If this occurs, additional safeguards must be implemented with a view to protecting your personal data in accordance with applicable laws. Please use the contact details below if you want more information about the safeguards that are currently in place.

How long we keep your personal data

Your data won't be kept for any longer than it is needed by us to carry out our processing activities, and for so long afterwards as we consider may be required to deal with any questions or complaints about the administration of the Fund, unless we elect to retain your data for a longer period to comply with our legal and regulatory obligations.

We have a Records Retention Schedule which governs how long records containing your personal data will be kept. In practice, this means that your personal data will be retained for such period as you (or any beneficiary who receives benefits after your death) are entitled to benefits from Tayside Pension Fund and for a suitable period after those benefits stop being paid. For the same reason, your personal data may also need to be retained where you have received a transfer, or refund, from TPF in respect of your benefit entitlement.

Where you seek to access your pensions information via a pensions dashboard, we will retain certain data relating to that access (some of which includes personal data) as required by pensions dashboard regulations and relevant regulatory guidance.

Your rights

You have a right to access and obtain a copy of the personal data that the Administering Authority holds about you and to ask the Administering Authority to correct or complete your personal data if there are any errors or it is out of date or incomplete. In very limited circumstances, you may also have a right to ask the Administering Authority to restrict the processing of your personal data, or to transfer or (in extremely limited circumstances, such as where your personal data is no longer needed for the purpose for which it is being processed) erase your personal data. You should note that we are not obliged to erase your personal data if we need to process it for the purposes of administering the Fund.

In certain circumstances you have the right to object to the processing of your personal data; for example, you have the right to object to processing of your personal data which is based on the public interest or legitimate interests identified in the section above headed "*The technical bit*", or where processing is for direct marketing purposes.

You can obtain further information about your rights from the Information Commissioner's Office at www.ico.org.uk or via its telephone helpline (0303 123 1113).

If you wish to exercise any of these rights please contact the Fund Administrator or our Data Protection Officer as indicated below.

Data Protection Complaints

You can submit a data protection complaint to us by filling in our complaints form, which is available at https://my.dundeecity.gov.uk/service/Enquiry_Suggestion_Compliment_Complaint

You also have the right to lodge a complaint in relation to this privacy notice or the Administering Authority's processing activities with the Information Commissioner's Office. Further information is available at www.ico.org.uk or by calling 0303 123 1113.

As explained above, we collect and hold your personal data in order to administer your Fund benefits. If you do not provide the information we request or if you ask us to delete or restrict the processing of personal data that is necessary for the administration of the Fund. This may affect our ability to administer your benefits, including the payment of benefits from the Fund. In some cases, it could mean we are unable to put your pension into payment or may have to stop your pension (if already in payment).

Data Protection Officer

You may also contact our data protection officer by email at infogov@dundeecity.gov.uk and by telephone on 01382 434206 for further information. We aim to directly resolve all complaints about how we handle personal information or you can contact the Data Protection Officer direct if you have a complaint about how we have handled your personal data.

Updates
We may update this notice periodically. Where we do this, we will inform members and beneficiaries of the changes and the date on which the changes take effect.

Contacting us

Please contact the Fund Administrator by phone at 01382 434000 or by post at the address below for further information.

Customer Services Team
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50 North Lindsay Street
Dundee
DD1 1QE