

FULL PRIVACY NOTICE

Version 3 - December 2021

For the members and beneficiaries of the City of Westminster Pension Fund (COWPF)

This notice is for members and beneficiaries of the City of Westminster Pension Fund (COWPF) (the "Fund"). It has been prepared by COWPF, (the "Administering Authority", or "we") in its capacity as the administering authority of the Fund.

This privacy notice is also provided at the following link:

<http://www.wccpensionfund.co.uk/>

Why we are providing this notice to you

We are required by law to comply with the principles of data minimisation and storage limitation. As the Administering Authority of the Fund we hold certain information about you ("personal data") which we use to administer the Fund and to pay benefits from it.

The personal data we process;

- must be adequate, relevant and limited to what is necessary in relation to the purposes for which it is processed; and we have a statutory obligation to do so; and/or the information contained in those records may be necessary for the future (for example, questions may arise about the calculation of benefits paid in the past, and data that may be relevant to a possible legal claim needs to be kept until the period within which that claim could be brought has expired). This notice sets out the measures adopted by the Fund to comply with the principles of data minimisation and storage limitation in relation to personal data that it holds.
- must not be kept in a form which permits identification of a data subject for longer than is necessary for the purposes for which the personal data is processed.

We are obliged to retain personal data whether in hard copy or electronic form) for various periods of time because;

The technical bit

The Administering Authority holds personal data about you in its capacity as data controller for the proper handling of all matters relating to the Fund, including its administration and management. This includes the need to process your data to contact you, to calculate, secure and pay your benefits, for statistical and financial modelling and for reference purposes (for example, when we assess how much money is needed to provide members' benefits and how that money should be invested), and to manage liabilities and administer the Fund generally. Further information about how we use your personal data is provided below;

The legal basis for our use of your personal data will generally be one or more of the following:

- a) we need to process your personal data to satisfy our legal obligations as the Administering Authority of the Fund;

[and/or]

- b) we need to process your personal data to carry out a task in the public interest or in the exercise of official authority in our capacity as a public body;

[and/or]

- c) we need to process your personal data for the administering and managing the Fund and liabilities under it, calculating, securing and paying benefits and performing our obligations and exercising any rights, duties and discretions the Administering Authority has in relation to the Fund;

[and/or]

- d) because we need to process your personal data to meet our contractual obligations to you in relation to the Fund (for example, under an agreement that you will pay additional voluntary contributions to the Fund, or to take steps, at your request, before entering into a contract.

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 and employee and membership numbers.
- 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, dependents 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 Fund may be reimbursed from your benefits.

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), 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.

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 allow alternative ways of delivering your benefits, for example, using insurance products and transfers to or mergers with other pension arrangements.
- If you elect to pay Additional Voluntary Contributions (AVCs) – current provider AEGON or have previously paid AVC contributions with Utmost Life, we will use your personal data to review
- your entitlement to make contributions and provide you with options regarding any AVC benefit. for statistical and financial modelling and reference purposes (for example, when we assess how much money is needed to provide members' benefits and how that money should be invested).
- 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.

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. Other organisations will be responsible to you directly for their use of personal data that we share with them. They are referred to as data controllers and we have highlighted them in the table below. The data 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.

These organisations include the Fund's:

Data processors

- Administrator – Westminster City Council
- Third party administrators – Hampshire Pension Services
- Accountants – in-house, audited by Grant Thornton
- Communications adviser – Not applicable
- Tracing bureaus for mortality screening and locating members – Hampshire Pension Services
- Western Union will be providing services for overseas based pensioners
- Overseas payments provider to transmit payments to scheme member with non-UK accounts – Western Union
- Printing companies –
- Pensions software provider – Civica
- Suppliers of IT, document production and distribution services (see third Party administrators)
- Old microfiche cards stored currently by Hugh Symons. Some record cards / microfiche stored internally by WCC

Data controllers

- Actuarial consultant – Hymans Robertson
- Scheme benefit consultant – Not Applicable
- Investment adviser – Deloitte
- Additional Voluntary Contribution providers – AEGON and Utmost Life (historic AVC funds)
- Legal adviser – Eversheds Sutherland
- Fund Actuary – Hymans Robertson
- External auditor – Grant Thornton
- Internal auditor – In-house
- Insurance companies in connection with ill health benefits – Not applicable to COWPF
- LGPS National Insurance database – South Yorkshire Pensions Authority
- The Department for Work and Pensions
- The Government's Actuary Department
- The Cabinet Office – for the purposes of the National Fraud Initiative
- HMRC
- The Courts of England and Wales – for the purpose of processing pension sharing orders on divorce

You can find the Fund's Actuary Privacy statement by following the link below:

<https://www.hymans.co.uk/information/privacy-notice/>

In addition, where we make Fund investments or seek to provide benefits for Fund members in other ways, such as using insurance, then we may need to share personal data with providers of investments, insurers and other pension scheme operators. In each case 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 your employer to understand its liabilities to the Scheme. 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.

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 legal 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 (for example, insurers may pass personal data to other insurance companies for the purpose of obtaining reinsurance), to the extent they consider the information is reasonably required for a legitimate purpose.

In some cases, recipients of your personal data may be outside the UK. This means your personal data may be transferred outside the European Economic Area ("EEA") to a jurisdiction that may not offer an equivalent level of protection as is required by EEA countries. If this occurs, we are obliged to verify that appropriate safeguards are implemented with a view to protecting your 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.

We do not use your personal data for marketing purposes and will not share this data with anyone for the purpose of marketing to you or any beneficiary.

How long we keep your personal data

We will only keep your personal data for no longer than is necessary in order to fulfil the purpose(s) for which it is processed.

In compiling our policy on the retention of personal data, we have considered the guidelines on the retention of personal data as set out by in:

- Information and Records Management Society;
- The National Archives;
- HMRC compliance handbook manual CH15400;
- Lord Chancellor's Code of Practice on the Management of Records issued under Section 46 of the Freedom of Information Act 2000;
- ICO's retention policy;
- EU Article 29 Working Party guidance; and
- The Pension Regulator's code of practice 14 for public service pension schemes.

Given the long term nature of pensions, we need to ensure that personal data is retained to:

- comply with our legal and regulatory obligations regarding the payment of pensions from the Fund;

and

- deal with any questions or complaints that we may receive about our administration of the Fund.

Personal data will be retained for the greater of in line with pension industry guidance:

- such period as the Member (or any Beneficiary who receives benefits after the Member's death) are entitled to benefits from the Fund and for a period of 15 years after those benefits stop being paid;

or

- 100 years from the Member's date of birth;

or

- 100 years from the date of birth of any Beneficiary who received benefits from the Fund after the Member's death

During any period when we retain personal data, we will keep that personal data up to date and take all reasonable steps to ensure that inaccurate data is either erased or rectified without delay. We will periodically review the personal data that we retain and consider whether it is still required; any personal data that we no longer require will be destroyed.

Member's and Beneficiary's rights

We will only keep your personal data for as long as we need to in order to fulfil the purpose(s) for which it was collected and for as long afterwards as we consider may be required to deal with any questions or complaints that we may receive about our administration of the Fund, we may also elect to retain your data for a longer period to comply with our legal and regulatory obligations in line with pension industry guidance.

Beneficiaries are those who receive benefits from the Fund, for example the active/deferred/pensioner Member's spouse / child(ren) / dependents who may receive benefits from the Fund following a Member's death. Members of the Fund and Beneficiaries have a right to access and obtain a copy of the personal data that we hold about them and to ask us to correct personal data if there are any errors or it is out of date or incomplete.

In certain circumstances a Member / Beneficiary has the right to:

- object to the processing of their personal data
- restrict the processing of their personal data until any errors are corrected;
- transfer their personal data; or
- erase their personal data.

If the exercise of the Member's / Beneficiary's rights would prevent us from paying or continuing to pay a pension from the Fund, we will consider retaining a minimised version of that Member's / Beneficiary's personal data in order to fulfil our legal and regulatory obligations.

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 your personal data if there are any errors, or it is out of date or incomplete. . You can obtain further information about these 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 or have any queries or concerns regarding the processing of your personal data, please contact the Fund Administrator as indicated below. 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 which you can do through the website above or their telephone helpline.

Participating Employers

This policy applies to the Westminster City Council in its capacity as the administering authority of the Fund. We have produced separate guidance for other participating employers in the Fund about our expectations for the retention by them of personal data we may require them to administer for the Fund. That guidance includes a data retention policy that employers can each adopt in relation to their participation in the Fund. This can be found at;

www.wccpensionfund.gov.uk

Review

We will review this notice at least every 2 years. You can find a copy of the latest privacy notice on our pension fund website.

Contacting us

Please contact COWPF Pensions Advisor for more information;

Sarah Hay

Strategic Pensions Manager

Westminster City Council

64, Victoria Street

London

SW1E 6QP

Tel: 07787 156 486

payroll&pension@westminster.gov.uk

You may also contact our Data protection officer for further information;

Data Protection Officer

Dr Fatima Zohra

Office of the Data Protection Officer

Royal Borough Kensington & Chelsea and Westminster City Council

Room G39

Ground Floor

Legal Services

The Town Hall

Hornton Street

London W8 7NX

Tel: 07890 380 046

dpo@westminster.gov.uk