

# Privacy Notice

West Sussex County Council in administering the West Sussex Local Government Pension Scheme has a specific Privacy Notice to its members. This explains how personal information is obtained and going to be used, what it is used for, who it might be shared with and why, and for how long it is kept.

The information you provide helps us to provide you with a pension service and to make sure that we meet our legal duties and responsibilities.

The County Council will process personal data to administer the West Sussex Local Government Pension Scheme.

The information you provide will be treated confidentially at all times.



## **Introduction**

West Sussex County Council is the Data Controller for the purposes of the relevant data protection legislation. This means that the County Council is responsible for making decisions about how your personal data will be processed and how it may be used.

This privacy notice specifically relates to how the County Council will process personal data to administer the West Sussex Local Government Pension Scheme. Information on privacy notices for other services the Council provides can be found on the Council website <https://www.westsussex.gov.uk/privacy-policy/>.

This privacy notice sets out what data we hold, how we obtain it, why we hold it and what we do with it.

The information you provide will be treated confidentially at all times. Security safeguards apply to both manual and computerised held data, which can only be accessed by relevant staff.

You are entitled to request access to, and a copy of, any information we hold about you. You have the right to withdraw your consent to the processing of your data as set out in this notice.

## **Data Controller**

West Sussex County Council (WSSCC) complies with the Data Protection Act and the General Data Protection regulation (GDPR) and is registered as a 'Data Controller' with the Information Commissioner's Office (Reg. No.6413427).

The Data Protection Officer (DPO) for WSSCC can be found on our website within the County Council's overarching Privacy Policy at <https://www.westsussex.gov.uk/privacy-policy/>

## **Categories of personal data which we process and hold**

The County Council will process personal data to administer the West Sussex Local Government Pension Scheme. The types of data we process and hold will include:

- **Contact details**, including name, address, telephone numbers and email address.
- **Identifying details**, including date of birth and national insurance number.
- **Information relating to your benefits in the Fund**, including length of service or membership and salary.
- **Other information in relation to your membership of the Fund or to enable the calculation or payment of benefits**, for example bank account 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.
- **Information concerning sensitive personal data**, such as health information. Extra protections apply under the data protection legislation for this category of data. We will only process this data 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 County Council in writing.

If you do not give consent, or subsequently withdraw it, the County Council will not be able to process the relevant information to make decisions based on it, including 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 obtain personal data**

We obtain data from:

- You directly
- Your current or past employer(s) such as salary information
- 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)
- From 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.

### **The Legal basis for Processing Personal Data**

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

- To satisfy our legal obligations as the Administering Authority of the Fund;
- To carry out a task in the public interest or in the exercise of official authority in our capacity as a public body;
- For the legitimate interests of 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;
- To meet our contractual obligations 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.

### **How will we use the information about you?**

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.
- To allow alternative ways of delivering your benefits, for example, through the use of insurance products and transfers to or mergers with other pension arrangements.
- 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.

### **Who we share data with**

From time to time we will share your personal data with third parties, including our contractors, advisors, government bodies, dispute resolution and law enforcement agencies and insurers in order to comply with our obligations under law, and in connection with the provision of services that help us carry out our duties, rights and discretions in relation to the Fund.

Occasionally we may provide some of your data to your employer 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. The County Council has data sharing agreements in place with each of the employers in the scheme.

We will share your information with the Fund's professional advisers, Hymans Robertson. Hymans Robertson LLP provides actuarial, benefits consultancy, governance consultancy and investment advice, analytics and assessments to the Administering Authority. When providing actuarial services, Hymans acts as a data controller. For more information on this role, please visit:

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

Your data will also be shared with Club Vita LLP, who provide longevity (life expectancy) analytics and related information for the purpose of helping us to manage the Fund's liabilities.

Hymans Robertson LLP and Club Vita LLP may appoint service providers or sub-processors to help in the provision of their services. For details, please visit:

<https://www.hymans.co.uk/information/trust-centre/>

### **We may pass data to:**

- Internal departments such as legal services, Internal Audit, WSCC records office
- Central government such as Cabinet Office, Department for Work and Pensions, HM Revenue and Customs (If a member's family opts to participate in the [Tell Us Once \(TUO\)](#) service)
- Other third-party organisations, as allowed by law
- Our appointed external Auditor and legal advisors
- Our appointed Additional Voluntary Contribution Providers (if you have made an application)
- The Pensions Ombudsman
- The Pensions Regulator
- Those who assist with discharging the County Council's duty to protect the public funds it administers in the prevention and detection of fraud. This includes providing data to the [National Fraud Initiative](#), the use of the [Disclosure of Death Registration Information \(DDRI\)](#) and [General Register Office \(GRO\)](#) databases. More information about Fraud in West Sussex can be found on the [County Council's main website](#).
- Other LGPS pension funds in England, Wales and Scotland.

We will not share data with third-parties for marketing purposes.

## **Transfer outside the European Economic Area**

If your data needs to be transferred we will make sure that an appropriate level of protection is in place.

## **How long will we store information about you?**

Personal data will not be retained for longer than necessary in relation to the purposes for which they were collected. Data about current and ex-members is held in order to enable the administration of pension services for those members, to meet statutory obligations and to prevent, detect and monitor crime.

For relevant data held to ensure the correct payments of benefits the retention period is one hundred years from the date of last contact with Scheme dependents. This includes a member's pension file, payroll information for pension calculations and pension service reports.

## **Rights**

You have the right to:

1. Be informed of data processing (which is covered by this Privacy Notice)
2. Access information (also known as a Subject Access Request)
3. Have inaccuracies corrected
4. Have information erased
5. Restrict processing
6. Data portability (obtain and reuse your personal data for your own purposes)
7. Intervention in respect of automated decision making<sup>1</sup>
8. Withdraw consent
9. Complain to the Information Commissioner's Office (see below)

## **Complaints to the Information Commissioner's Office (ICO)**

If you are unhappy with the way your request has been handled, you may wish to ask for a review of our decision by contacting the Data Protection Officer on 01243 777100 or [dataprotection@westsussex.gov.uk](mailto:dataprotection@westsussex.gov.uk) .

If you are not content with the outcome of the internal review, you may apply directly to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted our internal review procedure. You can obtain further information about these rights from the Information Commissioner's Office at: [www.ico.org.uk](http://www.ico.org.uk) or via their telephone helpline (0303 123 1113).

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<sup>1</sup> automated decision making is rarely operated within WSCC