

The Data Protection Act 2018 regulation 44.(1) states the controller (the County Council is the data controller for the Fund) must make available to data subjects the following information (whether by making the information generally available to the public or in any other way)—

- (a) the identity and the contact details of the controller;
- (b) where applicable, the contact details of the data protection officer;
- (c) the purposes for which the controller processes personal data;
- (d) the existence of the rights of data subjects to request from the controller—
  - i. access to personal data
  - ii. rectification of personal data
  - iii. erasure of personal data or the restriction of its processing

# LGPS privacy notice

Privacy notice specifically about the County Council administration of the Local Government Pension Scheme (LGPS).

This privacy notice explains:

- how personal information is obtained
- what it is used for
- who it might be shared with and why
- how long it is kept.

This privacy notice is specifically focused on how the West Sussex LGPS collects and retains data. It may be read in conjunction with the main [WSSCC Privacy Notice](#).

## Personal and special category data

The categories of personal data we process and hold include:

- contact details, including name, address, phone 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 relating to your membership of the fund or to enable us to calculate or pay benefits, for example bank account 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 your death
- 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 ([special category](#)) personal data, such as health information, for example to assess eligibility for benefits payable on ill health.

## **Data Controller**

West Sussex County Council (WSSC) complies with the [Data Protection Act](#) and the [General Data Protection Regulation](#) (GDPR). It is registered as a 'Data Controller' with the Information Commissioner's Office (Reg. No. Z6413427).

You can find details for the WSSC Data Protection Officer (DPO) on the WSSC [Privacy Policy](#).

We ensure that your personal data is accurate, processed fairly and lawfully, kept secure and retained for no longer than is necessary.

## **The legal basis for processing personal data**

Processing is necessary to:

- satisfy our legal obligations as the administering authority of the fund
- carry out a task in the public interest or in the exercise of official authority in our capacity as a public body
- administer and manage 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 for legitimate interests
- 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.

## **The legal basis for processing special category data**

Extra protections apply under the data protection legislation for this category of data. For details, see the Information Commissioner's website.

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.

## **How we obtain personal data**

We obtain data from:

- you directly
- your current or past employer(s), such as salary information
- 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)
- other sources, such as public databases (such as the Register of Births, Deaths and Marriages), our advisors and government or regulatory bodies, including those organisations set out below.

## **How we use your personal information**

We use personal data specifically to:

- contact you
- assess eligibility for, calculate and provide you (and, if you are a member of the fund, your beneficiaries upon your death) with benefits
- identify your potential or actual benefit options
- allow alternative ways of delivering your benefits, for example, through the use of insurance products and transfers to, or mergers with, other pension arrangements
- obtain statistics for 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)
- comply with our legal and regulatory obligations as the administering authority of the fund
- address queries from members and other beneficiaries and to respond to any actual or potential disputes concerning the fund
- manage the fund's liabilities, including the entering into of insurance arrangements and selection of fund investments
- enable the sale, merger or corporate reorganisation or transfer of a business by the employers that participate in the fund and their group companies.

## **Who we share your information with**

From time to time we will share your personal data with third parties, including our contractors, advisors, government bodies, and dispute resolution and law enforcement agencies and insurers. We do this in order to comply with our obligations under law, and to help us provide services and 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.

We will share your information with the fund's professional advisers, [Hymans Robertson LLP](#). The advisers provide actuarial, benefits and governance consultancy, and investment advice, analytics and assessments to the administering authority. When providing actuarial services, Hymans acts as a data controller.

Your data will also be shared with [Club Vita LLP](#). Clubs Vita provide longevity (life expectancy) analytics and related information for the purpose of helping us 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.

We may also pass data to:

- internal departments, such as legal services, internal audit and the WSCC Records Office
- central government, such as the Cabinet Office, Department for Work and Pensions and HM Revenue and Customs (if a member's family opts to participate in the [Tell Us Once 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 our duty to protect the public funds we administer in the prevention and detection of fraud, including the [National Fraud Initiative](#) and the [Disclosure of Death Registration Information \(DDRI\)](#) and [General Register Office \(GRO\)](#) databases
- other LGPS pension funds in England, Wales and Scotland.

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

If your data needs to be transferred outside the European Economic Area, we will make sure that an appropriate level of protection is in place.

## **How long we keep your personal data**

We will not retain personal data for longer than is necessary for the purposes for which it was collected. Data about current and previous 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.

To ensure correct payments of benefits personal data will be retained for the greater of:

- 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
- 100 years from the member's date of birth
- 100 years from the date of birth of any beneficiary who received benefits from the fund after the member's death.

## **Your rights**

See WSCC Privacy Policy for more [information on your rights](#).