

General Data Protection Regulation 25 May 2018

THE TRUSTEE OF THE GKN GROUP PENSION SCHEME (No.1)

CONTROLLER'S RECORD OF PERSONAL DATA PROCESSING

Details of Controllers:

GKN 1 Trustee 2018 Limited (Company Number 11680784) is the trustee controller in relation to the Scheme, its registered office is at 11th Floor, the Colmore Building, 20 Colmore Circus Queensway, Birmingham, B4 6AT.

A privacy notice is provided to members and pensioners – **See Appendix 1.**

1. Where is personal data held?

- (1) Electronic database
- (2) GKN server
- (3) Trustee client records and electronic files
- (4) Paper copies not duplicated by electronic copies

2. Why is the personal data held?

The Trustee collects and maintains personal data relating to members and pensioners of the Scheme for the purpose of:

- maintaining contact with members and pensioners
- administering the Scheme
- providing pension benefits under the Scheme
- enabling transfers in and out of the Scheme at members' request
- dealing with any queries or disputes in relation to the Scheme and pension
- managing risk

3. What is the source of the personal data?

- The member or pensioner
- Current, former or prospective employers of the member or pensioner
- Health information may be obtained from the employer and medical practitioners in cases of ill health retirement.
- The nominated financial advisor of the member or pensioner
- Regulatory or governmental authorities

4. Who is responsible for the maintenance of the personal data?

Mercer as scheme administrator maintains the personal data as a service provider to the Trustee. All relevant Mercer employees have received training on data protection issues.

5. Whose data is held?

Personal data is held on members (including deferred and former members) and pensioners of the Scheme. It will also be held on any prospective members of the Scheme; pension credit members or beneficiaries of a pension sharing or attachment order; and those entitled or prospectively entitled to benefits on the death of the above.

6. What is the legal basis for processing the data?

- Contract
- Legal obligation
- Consent [for health data processed for ill health early retirement cases]

- Legitimate Interest – **See Appendix 2**

7. What types of information are processed?

- o Tax Code
- o Bank Account
- o Pay slips
- o P60's
- o P45's
- o Power of Attorney
- o Dependants details
- o Sex
- o Name
- o NI Number
- o Date of Birth
- o Payroll Number
- o Date Joined Company
- o Date Joined Scheme
- o Health, Maternity, Sickness record
- o Doctor / Consultant / Specialist name and address
- o Job Title
- o Home Address
- o E-Mail address
- o Mobile phone
- o Salary
- o Marital status
- o Social / financial circumstances
- o Divorce / pension sharing orders enquiries
- o Nomination details – Spouse, children, other dependants
- o Place of Work
- o Contributions paid
- o Fund Values
- o Reason for leaving
- o Guaranteed Minimum Pension
- o Annual Allowance
- o Lifetime Allowance certificates
- o Scheme pays details
- o Hours worked
- o Salary sacrifice
- o Membership of other schemes

8. What processing activities take place?

- Holding / storing.
- Transferring to external third parties.
- Transferring to GKN Group companies.
- Altering / updating.
- Using.
- Retaining.

9. Who is personal data disclosed to?

- The Scheme's administrator, professional advisers, auditors and other service providers.
- Insurance providers.
- Organisations appointed to advise members about their options under the Scheme.
- GKN and its advisers.
- Regulators, government departments, law enforcement and tax authorities.
- The Pensions Ombudsman and the courts.
- Persons in connection with any sale or other corporate activity relating to the GKN group.

10. How long is data kept?

Indefinitely in case of claims or investigations / enquiries in future, e.g. from regulators, governmental agencies, the member / former member / pensioner. Otherwise, at least 6 years

after the member and any persons in receipt of contingent benefits under the Scheme have died, in case further claims arise.

11. Do employees of GKN have access to the personal data held by the Trustee?

GKN employees have their own copies of all or some of the personal data in relation to their work on behalf of GKN. They have immediate access to some of the personal data maintained by the Trustee through the BENPAL portal, they also receive annual pension statements.

12. Is the personal data transferred to other GKN companies or to external third parties?

The Trustee may transfer personal data to another GKN company outside the EEA where the employee concerned is being transferred to that other GKN company, for the purposes of providing local pension benefits.

- The Trustee appoints the following third parties to provide services to it - **See Appendix 3**

None of these suppliers are based in or use servers outside of the EEA

- The Trustee also provides personal data to regulatory and governmental authorities located in the UK - **See Appendix 3**

13. What technical and organisational security measures are taken to protect the personal information in the system?

The Trustee has taken the following measures:

- It has received training on data protection
- It uses passwords, limited access rights and portals
- It has adopted the attached data protection policy – **See Appendix 4**
- It has satisfied itself that its processors have provided sufficient guarantees to implement technical and organisational security measures.
- It has reviewed the contracts with its processors to ensure that they are compliant with the GDPR
- It has adopted the attached cyber security policy – **See Appendix 5**
- It has arranged for data protection to be on the agenda for all regular trustee board meetings

14. What additional safeguards are in place for "special category data" and data relating to criminal convictions?

Special category data: in addition to processing where the member has consented to this, this may be processed, where permitted by the data protection laws, for employment, social security and social protection purposes or for health or social care purposes. Data relating to criminal convictions may be processed where consent has been given or for the purpose of legal claims and judicial acts.

Adopted on: 1 April 2020

Appendix 1

PRIVACY NOTICE – GKN GROUP PENSION SCHEME

This notice explains to you what information the Trustee will collect and hold about you and what the Trustee will do with it. It also explains your rights and who to contact if you have any questions about this notice.

1. Who is the data controller?

The Trustee of the GKN Group Pension Scheme (No.1) (the "Scheme") is the controller of your personal data for the purposes of the data protection laws. The current data protection laws are set out in the Data Protection Act 2018. We refer to the current protection laws as the "Data Protection Laws" in this privacy notice.

2. What personal data does the Trustee collect and how?

You provide the Trustee with information that the Trustee needs as the provider of pension benefits to you, to comply with legal and regulatory obligations and to liaise with regulatory or governmental authorities, for example, the Department for Work and Pensions. This type of information will also be provided to the Trustee by the GKN company that employs you or was your former employer.

Health information may be obtained from your employing company and medical practitioners, and passed to a medical adviser to the Scheme in cases of ill health retirement. In such a case, the Trustee will seek your consent to the collection and use of health information so that a full consideration of your case for ill health retirement may be undertaken.

The Trustee may also receive information from a previous employer (not part of the GKN Group) or your nominated financial advisors in relation to a transfer of benefits from or to other pension schemes, or from regulatory or governmental authorities in relation to tax, state benefits or pensions.

3. What will the Trustee do with your personal data?

The Trustee collects and maintains personal data relating to members and pensioners of the Scheme for the purpose of:

- maintaining contact with you
- administering the Scheme
- providing pension benefits under the Scheme
- enabling transfers in and out of the Scheme at your request
- dealing with any queries or disputes in relation to the Scheme and pension benefits

In addition, The Trustee collects and maintains personal data relating to members and pensioners of the Scheme for the purpose of:

- statistical, financial modelling and reference purposes
- risk management, including the insurance of longevity risks and related demographic risks
- complying with our legal obligations, any relevant industry or professional rules and regulations or any applicable voluntary codes
- complying with demands or requests made by any relevant regulators, government departments and law enforcement authorities or in connection with any disputes or litigation

- dealing with any sale, merger, acquisition, disposal, reorganisation or similar change of your employer's business

In relation to personal data which is not classed as either 'sensitive personal data' or 'special categories of personal data' under the Data Protection Laws, we will generally either rely on the basis that we have a legal obligation under the Scheme rules and legislation to process your personal data, or on a condition known as "legitimate interests" in order to process your personal data for the purposes specified above. It is in our legitimate interests to collect and process your personal data as it provides us with the information that we need to administer the Scheme, including providing you with the correct benefits, at the right time. We may also rely on a contractual need to process your personal data, in relation to information flowing to and from GKN, as required for employment purposes.

We will always ensure that we keep the amount of data collected and the extent of any processing to the absolute minimum to meet this legitimate interest.

In relation to 'sensitive personal data' or 'special categories of personal data' under the Data Protection Laws (e.g. information about your health), we will only process such data where you have explicitly consented (which may be withdrawn by you on written notice) or where there is an alternative legal basis for processing this information under the Data Protection Laws.

The Trustee has no intention to process your personal data for any purpose that is not described above. The Trustee will inform you if the Trustee wishes to use your personal data for any other purpose.

4. What are the Trustee's obligations to collect and your obligations to provide personal data?

The Trustee has a statutory obligation to collect and process certain information about you, for example, in relation to tax matters.

You are required to provide certain information in order to obtain benefits from the Scheme. If you do not provide the Trustee with information the Trustee requests from you, your and your dependent's benefits under the Scheme may be affected.

5. Will the Trustee share your personal data with someone else?

Your personal data may be shared with other companies in the GKN Group, for example, if you are an employee member of the Scheme and you take on a secondment or assignment with another GKN company. Your personal data may also be transferred to professional advisors or other third parties who are used by the Trustee to provide services in relation to the Scheme, to providers of benefits under the Scheme, to your nominated financial advisors and alternative pension providers or potential future employers at your or your nominated financial advisor's request, or where the Trustee has legal obligations, such as to regulators, the ombudsman or governmental authorities. It may also be shared with third parties in connection with any sale, merger, acquisition, disposal, reorganisation or similar change in your employer's business.

These may be located in countries that are not deemed to provide a similar level of protection for individuals' rights in relation to their personal data as in the European Economic Area (EEA).

If your personal data is transferred to a GKN company or to an external service provider that processes data on the Trustee's behalf in such a country, your information will be covered by a data transfer agreement in a form approved by the European Commission. Further information is available from Mercer as scheme administrator at the address below.

6. Where will your personal data be stored?

The data that we collect from you will be stored inside the European Economic Area (EEA) on an electronic database.

However, if you live or work outside of the EEA, we may need to transfer your personal data outside of the EEA to respond to any queries that you may have. Where this applies, we will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this privacy notice.

We also may transfer data outside the UK or the EEA where the Scheme's service providers host or process data outside the UK or the EEA. Where we do this, we will ensure that the transfer is to a country covered by a decision of the Commission of the European Union or is otherwise made in circumstances where appropriate safeguards are in place to protect your data in accordance with the Data Protection Laws.

7. For how long will the Trustee process your personal data?

The Trustee will process your personal data for as long as you are a member of the Scheme, whether as an active or deferred member, or you or your beneficiaries receive a pension from the Scheme. As there are many circumstances in which claims, queries or investigations arise many years after an individual ceases to be connected with the Scheme (for example, HMRC investigations, claims for compensation in the case of miss-selling by a financial advisor, or evidence is required to demonstrate that an individual has had a refund of contributions), the Trustee will retain your personal data for an indefinite period after all benefits payable to you and your dependants have ceased, or after you cease to be a member. Where information is no longer needed, it will be securely deleted.

8. What rights do you have in relation to your personal data?

You have a number of rights in relation to your personal data. These include the right, subject to exceptions, to:

- access your personal data
- request the rectification or erasure of your personal data
- in certain circumstances, to have your data deleted or removed
- request restrictions on the processing of your personal data
- object to our processing of your personal data
- withdraw your consent to processing health information
- a right of data portability, namely to obtain and reuse your data for your own purposes across different services
- object to direct marketing
- not be subject to automated decision making (including profiling) where it produces a legal effect or a similarly significant effect on you
- claim compensation for damages caused by a breach of the Data Protection Laws

Please contact Mercer as scheme administrator at the address below if you wish to exercise any of these rights. We will respond to any request received from you within one month from the date of the request. The information will usually be provided free of charge, although in certain circumstances, we may make a small charge where entitled to do so under the Data Protection Laws.

In accordance with the current Data Protection Laws, you also have the right to receive a copy of your personal data in a portable format e.g. Microsoft Excel. This right is limited to personal data that you have provided to us and is processed on the basis of your consent or for the purposes of obtaining benefits under the pension Scheme. This right does not cover personal data that the Trustee processes to comply with the Trustee's legal obligations or for the Trustee's legitimate interests. Please contact Mercer as scheme administrator at the address below to request a portable copy of the data that you have provided.

9. What if the Trustee has obtained your consent to use your personal data?

As previously noted, the Trustee will obtain your consent for collection and use of health information. You are not obliged to give your consent and you may withdraw your consent at any time by contacting Mercer as scheme administrator. However, if you do not give your consent or you withdraw your consent, depending on your specific circumstances, this may impact on the Trustee's ability to treat you as retiring on the grounds of ill health and provide accelerated benefits under the Scheme or give you benefits that you would not normally be entitled to under the rules of the Scheme.

10. What to do if you have any queries?

If you have any questions about the way the Trustee processes your personal data, you should contact the scheme administrator using the details below:

GKN Group Pension Scheme No. 1
Mercer Limited
Post Handling Centre
St James's Tower
7 Charlotte Street
Manchester
M1 4DZ
0345 337 2456
gknmail@mercerc.com

You also have the right to complain to the UK's Information Commissioner. You can use their helpline on 0303 123 1113.

This privacy notice is current as at 1 April 2020. We keep our privacy notice under regular review, and may change it at any time. We will tell you about any significant changes.