

## **First Hydro Company Group of the Electricity Supply Pension Scheme (ESPS)**

### **Data Protection Privacy Notice - How we use information about you**

We, the Group Trustees of the First Hydro Company Group (the Group) of the ESPS, will use your personal details to assess, deal with and pay any benefits you or your dependants may be entitled to under the rules of the First Hydro Company Group of the ESPS (the Scheme). We will also contact you about matters relating to the administration of the Group.

As part of the service we provide we may share your information with other organisations for the purposes of identifying accurate information as to your whereabouts or for the purpose of paying any benefits that you may be entitled to. We explain more below about who we might share our data with and why. We will handle your data in compliance with all relevant data protection legislation, including the UK General Data Protection Regulation (GDPR). The Group Trustees of the First Hydro Company Group of the ESPS are the data controller in respect of your personal information for the purposes of applicable data protection legislation.

#### **What information we process**

This information may include:

- personal details, such as name, age, gender, date of birth, email and postal address, telephone or mobile number
- family, lifestyle and social circumstances
- financial details
- employment and education details
- goods or services provided

We may also need to process sensitive classes of information, such as physical or mental health details, in order to administer ill-health retirement payments and applications.

This information may be obtained from your employer, ex-employer, government agencies, service providers or from yourself.

#### **Grounds on which we process your personal information**

We will only collect and use your personal information where:

- there is a legal obligation for us to do so;
- it is for our legitimate business interests; or
- you have given us your consent to do so.

Our legitimate business interests include fulfilling our role in dealing with, assessing eligibility for and paying any benefits you may be entitled to, and the efficient administration of an occupational pension scheme. We will not use your data for our legitimate business interests if they are overridden by your interests, rights or freedoms.

You do not have to provide the information requested from you, but there may be a delay in the payment of your benefits if that information is not provided.

If we are processing your data on the basis of your consent you can withdraw your consent at any time by contacting Railpen (details shown under further information). The withdrawal of consent will not affect the processing of personal data carried out before consent was withdrawn.

Failure to provide information or consent, or withdrawing consent, could result in a decision being taken based only on the information available, which could exclude information favourable to your case. It may also delay the payment of your benefits.

### **Who the information may be shared with**

From time to time we may need to share your information with other organisations. Where this is necessary we are required to comply with all aspects of relevant data protection legislation.

Your information will be shared with Railpen in order for them to provide pension administration services in line with the reasons/purposes outlined above.

The types of other organisations we may need to share some of your information with are:

- your employer or former employer
- claimants, beneficiaries, assignees and payees
- other pension schemes with which you have an association (e.g. if you have requested a transfer payment)
- trade and business associates, service providers and professional advisers
- auditors
- healthcare, social and welfare organisations
- financial organisations and advisers
- central and local government
- service providers
- ombudsmen and regulatory authorities
- suppliers
- family, associates or representatives of the person whose personal data we are processing
- tracing agencies and verification service providers
- insurers, reinsurers for the purpose of liability management exercises

Any processing performed by any party that we share your personal data with will be governed by a data processing agreement in the form required by law, and designed to protect your statutory data protection rights.

### **Retention of data**

One of the key principles of the relevant data protection legislation, including the UK GDPR, is that the personal data we store and process shall be adequate, relevant and limited to what is necessary for the purpose it was originally collected. Our standard policy is for information or data to be kept for only as long as necessary. It is then disposed of in a managed and secure way. However, as pensions are a long term saving vehicle it may be necessary to retain your personal data for the remainder of your life and any dependants' lives in order to pay you the benefits you are entitled to along with any dependant's benefits payable. Some data may need to be kept for the life of the Scheme.

Our core systems, data, and administration services are all carried out and stored within the UK. If any of our service provider transfers personal data outside of the European Union or the European

Economic Area, they must ensure that appropriate safeguards are in place to protect the security of your data.

### **Completing forms on behalf of a child**

If you are completing forms on behalf of a child we may also hold and use your personal information, which will be dealt with on the same basis as set out above.

### **Your rights**

You will have a number of rights under data protection legislation. These include the right to:

- access the information we hold about you, together with information about how and on what basis that information is processed;
- request personal data to be amended if it is inaccurate or incomplete;
- request the deletion or removal of personal data where there is no compelling reason for its continued use;
- block or restrict the processing of your personal data in certain circumstances; and
- object to the processing of your personal data in certain circumstances

There is also a right under the UK GDPR to receive your personal data (in a structured, commonly used and machine-readable format) and to transfer your data to another service provider or data controller. This right applies where your data is being processed on the basis of your consent or in line with a contract to which you are party. Please note that for the majority of members, this is not applicable as we rely on our legitimate business interest and our legal obligations to collect and process your data rather than individual consent or contracts.

### **Further information**

If you wish to exercise any of your rights or have concerns about the processing of your personal data or, on behalf of the child in whose name this claim is made, or wish to raise any issues in relation to data protection, including in relation to the use of it by the Group Trustees or Railpen, please contact Railpen:

Railpen  
Unit 2, Rye Hill Office Park  
Birmingham Road  
Coventry  
CV5 9AB

Tel: 02476 472 896

Email: [enquiries@railpen.com](mailto:enquiries@railpen.com)

If you are unhappy with how your personal information is being handled you also have the right to make a complaint to the Information Commissioner's Office, an independent body set up to uphold information rights, which will investigate your complaint.

## Other data controllers

Aon Solutions UK Limited and the Scheme Actuary (Rebecca McGowan of Aon Hewitt) also act as data controllers in relation to your personal information in certain circumstances and they have provided the following description of how they may use your information to support us in the running of the Scheme:

Aon Solutions UK Limited (and, where appointed, the Scheme Actuary - together "Aon") has been appointed to provide pensions advisory and calculation services that relate to your membership of the pension scheme. In doing so Aon will use personal information about you, such as your name and contact details, information about your pension contributions, age of retirement, and in some limited circumstances information about your health (where this impacts your retirement age) in order to be able to provide these services. The purposes for which we use personal information will include management of the pension scheme and your membership within it, funding the pension scheme (i.e. helping to ensure that the funds within the pension scheme are sufficient to cover the members who are party to it), liability management (that is to say providing advice on the different ways benefits could be determined, and drawn, from the pension scheme), scheme actuary duties (which include assessing individuals who are members of the pension scheme and assessing how the make-up of the membership may affect the amounts payable and when they become payable so as to manage the pension scheme appropriately), regulatory compliance, process and service improvement and benchmarking.

We may pass your personal information to third parties such as financial advisors and benefits providers, insurers, our affiliates and service providers and to certain regulatory bodies where legally required to do so. Depending on the circumstances, this may involve a transfer of data outside the UK and the European Economic Area to countries that have less robust data protection laws. Any such transfer will be made with appropriate safeguards in place.

More detail about Aon's use of your personal information is set out in our full Privacy Notice. We recommend that you review this notice which is available online at <http://www.aon.com/unitedkingdom/products-and-services/human-capital-consulting/aon-hewitt-actuarial-services-privacy-statement.jsp>, or you can request a copy by contacting us, including reference to the scheme name, at: Data Protection Officer, Aon Solutions UK Limited (Wealth Solutions UK), PO Box 730, Redhill, RH1 9FH or email: [RI.UK.PrivacyChampions@aon.com](mailto:RI.UK.PrivacyChampions@aon.com)

Our legal advisers, DLA Piper, are also data controllers in relation to the Group. They will only have access to personal information which the Group Trustees share with them and they will only use that information for the purposes of providing legal advice to the Group Trustees and for no other purpose.

For a copy of DLA Piper's privacy notice please go to <https://www.dlapiper.com/en/uk/privacy-policy/> or you can write to them at DLA Piper Privacy Team, DLA Piper UK LLP, 160 Aldersgate Street, London EC1A 4HT or email them at [web.enquiries@dlapiper.com](mailto:web.enquiries@dlapiper.com).