

Keeping your data secure

As Trustees (the “**Trustees**”, “**we**”, “**us**” or “**our**”) of British Coal Staff Superannuation Scheme (the “**Scheme**”) we process personal information of members of the Scheme (“**Member**”), dependants of the Members (“**Dependants**”), individuals who receive benefits from the Scheme (“**Beneficiaries**”) and other individuals who make communications, enquiries or claims to us in relation to the Scheme (collectively “**you**”). We take the protection of your personal information very seriously. We are committed to protecting your personal information and complying with applicable data protection and privacy laws. This “**Privacy Notice**” explains what personal information we hold about you, how we collect it, the reasons we use it, the organisations with whom we share it, how we protect it and your privacy rights.

WHO WE ARE

As the Trustees responsible for the running of the Scheme, we administer the accrual and payment of your benefits and need your personal information to do so. When we collect or use your personal information we are the “**controller**”, which means we decide how and why your data is processed. We are registered with the UK’s data protection authority, the Information Commissioner's Office (“**ICO**”), under reference Z5551971. If you have questions or concerns, please contact us using the details in the section “CONTACTING US”.

Similarly, other parties involved in running the Scheme will also need to make decisions about how your personal information is used, including Coal Pension Trustees Services Limited, the Scheme actuary and other advisers. If you want any more information from any of the people who receive your personal information from us, or to exercise any rights in relation to the information they hold, please contact us using the details in the section “CONTACTING US” and we will put you in touch with them.

If you provide us with the personal information of other persons (for example, where Members provide information regarding Dependants and/or Beneficiaries), please make sure the respective

persons are aware of this Privacy Notice and only provide us with their personal information if you are permitted to do so and such information is correct.

WHAT PERSONAL INFORMATION WE COLLECT AND HOW

As Trustees of the Scheme, we need a range of personal information about members of the Scheme, and where applicable, their Dependants and Beneficiaries and other individuals in order to carry out the purposes outlined below. Where we refer to “personal information” we mean any information relating to an identified or identifiable individual.

The personal information we hold includes the following types of personal information about you:

- *Basic Personal Details* – Name, gender, date of birth, home address, contact details (telephone, email), national insurance number, marital status, Scheme Member ID number, passport copies, type of Scheme individual (i.e. Member, Beneficiary (spouse, child or other) or other individual)
- *Employment Information* – Salary information, employment information, date of retirement, HMRC contracted out dates
- *Financial Information* – Bank account details, additional voluntary contributions, pension sharing orders, tax protections or other adjustments, details of any Beneficiary nominated to receive benefits
- *Scheme Information* – Member’s date of joining Scheme, date of leaving Scheme, date of death of Member, pension and lump sum amounts, refunds
- *Communications* – Records of communication exchanged between you and us

As part of running the Scheme, from time to time we also need to process and hold “**special categories of personal data**” about you. This includes the following:

- *Spouse/Partner Information* – Sexual orientation of Member and spouse/civil partner
- *Health Information* – Medical reports on the Member’s health conditions

We also, in rare circumstances, process information about criminal offences (for example, when we are asked for information from the police linked to fraud cases), but only where it is relevant to the payment of Scheme benefits.

We primarily collect your personal information directly from you. There are occasions when we also collect information from third party sources. These include the following: archived records of British Coal and associated employers to which we have access; other pension schemes; tracing agents; the Coal Industry Social Welfare Organisation; and our medical advisers.

WHY WE COLLECT YOUR PERSONAL INFORMATION

In the table below, we explain why we use the personal information collected from you and the lawful bases relied on.

Processing activity: why we use your personal information	Types of Personal Information	Lawful bases of processing relied on
<p>Providing and Administering the Scheme: We use your information for the general administration of the Scheme, including to ensure that your benefits in the Scheme are calculated and paid correctly. This means we use your information for the following purposes:</p> <ul style="list-style-type: none"> ● To record your contributions, track entitlements and pay pensions and other benefits that are payable under the Rules of the Scheme ● To identify you when you contact us; for Members located outside the UK, to carry out regular ‘existence checks’ 	<p><u>Standard Personal Data</u></p> <ul style="list-style-type: none"> ● Basic Personal Details ● Employment Information ● Financial Information ● Scheme Information ● Communications 	<p><u>Standard Personal Data</u></p> <ul style="list-style-type: none"> ● Legitimate interests ● Necessary for compliance with a legal obligation <p><u>Special Categories of Personal Data</u></p> <ul style="list-style-type: none"> ● Necessary for the obligations and exercising specific rights of the

Processing activity: why we use your personal information	Types of Personal Information	Lawful bases of processing relied on
<ul style="list-style-type: none"> ● To communicate in relation to your contributions, entitlements and benefits and updates about the Scheme ● To consider requests by you to access your benefits on the grounds of ill-health ● To keep details of any Beneficiary you nominate to receive your benefits ● To obtain actuarial valuations and other advice from our professional advisers ● To deal with any complaints you might make ● To conduct elections and elect trustees ● To conduct statistical and reference exercises ● To provide you with newsletters and flyers and obtain your feedback about the operation of the Scheme. We do this to keep you up to date with developments affecting the Scheme, increase Member engagement and to check we are running the Scheme effectively ● To locate you if you move without providing us with new contact details, so that we can contact you about the Scheme and pay your benefits ● To confirm if you are still entitled to your benefits by confirming that you are still alive and that your Dependants are still entitled to any benefits they receive, so that 	<p><u>Special Categories of Personal Data</u></p> <ul style="list-style-type: none"> ● Health Information ● Spouse/Partner Information <p><u>Criminal Offence Data</u></p> <ul style="list-style-type: none"> ● Information about criminal offences 	<p>controller or of the data subject in the field of employment and social security</p> <ul style="list-style-type: none"> ● Necessary for legal claims ● Consent <p><u>Criminal Offence Data</u></p> <ul style="list-style-type: none"> ● Necessary for obligations and rights in the field of employment and social security and social protection law

Processing activity: why we use your personal information	Types of Personal Information	Lawful bases of processing relied on
<p>we only pay benefits to those entitled to them</p> <ul style="list-style-type: none"> To establish and defend our legal rights and prevent or detect crime or fraud, so that we protect the Scheme from criminal activity. We also disclose your personal information to regulators and other entities in order to prevent or detect crime or where we are required to disclose that information by law or by an order of the court 		
<p>Pensions Dashboard: To carry out our obligations arising from Pensions Dashboard requirements. The Pensions Dashboard is a digital tool designed to help individuals in the UK access their pension information online, securely, and all in one place. The main goal of the Pensions Dashboard is to enable users to see all their pension savings in one view, which can help them plan for retirement more effectively</p>	<p><u>Standard Personal Data</u></p> <ul style="list-style-type: none"> Basic Personal Details Employment Information Financial Information Scheme Information Communications 	<p><u>Standard Personal Data</u></p> <ul style="list-style-type: none"> Legitimate interests Necessary for compliance with a legal obligation
<p>Comply with regulatory requirements: To meet our on-going legal, regulatory and compliance obligations to provide pensions and manage the Scheme on behalf of the members (the Trustees must by law provide benefits in accordance with the Scheme’s governing documentation and must also meet other legal</p>	<p><u>Standard Personal information</u></p> <ul style="list-style-type: none"> Basic Personal Details Employment Information 	<p><u>Standard Personal information</u></p> <ul style="list-style-type: none"> Necessary for compliance with a legal obligation

Processing activity: why we use your personal information	Types of Personal Information	Lawful bases of processing relied on
requirements in relation to the running of the Scheme)	<ul style="list-style-type: none"> ● Financial Information ● Scheme Information ● Communications <p><u>Special Categories of Personal Data</u></p> <ul style="list-style-type: none"> ● Health Information ● Spouse/Partner Information 	<p><u>Special Categories of Personal Data</u></p> <ul style="list-style-type: none"> ● Necessary for the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security ● Necessary for Legal Claims
<p>Share your information with other parties at your request: We disclose your information to third parties such as in relation to transfers to other schemes or where you instruct a financial adviser to act on your behalf.</p>	<p><u>Standard Personal information</u></p> <ul style="list-style-type: none"> ● Basic Personal Details ● Employment Information ● Financial Information ● Scheme Information ● Communications <p><u>Special Categories of Personal Data</u></p>	<p><u>Standard Personal information</u></p> <ul style="list-style-type: none"> ● Legitimate interests <p><u>Special Categories of Personal Data</u></p> <ul style="list-style-type: none"> ● Necessary for legal claims ● Consent

Processing activity: why we use your personal information	Types of Personal Information	Lawful bases of processing relied on
	<ul style="list-style-type: none"> ● Health Information ● Spouse/Partner Information 	

HOW WE LAWFULLY PROCESS YOUR PERSONAL INFORMATION

We are allowed to process your personal information for the lawful bases as set out in the section “WHY WE COLLECT YOUR PERSONAL INFORMATION”. We provide further explanation on the lawful bases of processing below:

- *Legitimate Interests:* We are permitted to process your personal information if it is based on our “legitimate interests” i.e. we have good, sensible, practical reasons for processing your personal information which is in our interest. These interests are effectively the purposes of our processing of your personal information set out in the section “WHY WE COLLECT YOUR PERSONAL INFORMATION”. For example, we have legitimate interests to collect and process your personal information in order to administer the Scheme and to provide benefits for you and your Dependants. To rely on this lawful basis, we have considered the impact on your interests and rights, and have placed appropriate safeguards to ensure that the intrusion on your privacy is reduced as much as possible. You can object to the processing of your personal information that relies on legitimate interests. Please refer to the section “YOUR RIGHTS OVER YOUR PERSONAL INFORMATION” for more detail.
- *Consent:* Sometimes we want to use your personal information in a way that is optional for you. For example, we need to process personal information relating to your physical or mental health if you are applying for a pension on grounds of ill-health. We will ask for your explicit consent to this unless there is an alternative legal basis for processing this information under the data protection laws. Once you have given your consent, you can withdraw it at any time by writing to us using the contact details in the section “CONTACTING US”.

- *Necessary for compliance with a legal obligation:* We rely on this lawful basis where we are required to comply with a legal obligation.
- *Necessary for legal claims:* We can process special categories of personal data and criminal offence related information if the processing is necessary for the establishment, exercise or defence of legal claims.
- *Necessary for the obligations and exercising specific rights of the controller or of the data subject in the field of social security:* We can process special categories of personal data and criminal offence related information where we are required to comply with our regulatory obligations.

WHO WE SHARE YOUR PERSONAL INFORMATION WITH

To carry out the purposes outlined above, we also need to disclose your personal information to certain third parties, including as detailed below:

- Coal Pension Trustees Services Limited, who provides key trustee services to us.
- Capita, who is the key service provider that we have selected to administer your benefits and run the Scheme payroll and provide Pensions Dashboard services.
- The Government Actuary Department, who act as the actuaries of the Scheme and carry out valuations of the Scheme's liabilities and assets.
- Our professional advisers to obtain legal and consultancy/audit advice: Linklaters LLP and Pinsent Masons LLP for legal advice, and PwC who provide internal audit services and consultancy on major Member related projects.
- Our provider of Additional Voluntary Contributions (Prudential), for Members who made these contributions.
- Civica, to run our Pensioner Representative Trustee election process.
- Tracing agents, who locate missing Members and confirm continuing entitlement to benefits in the UK.

- HM Revenue & Customs, the Department of Work and Pensions, The Pensions Regulator and other regulatory bodies.
- The Pensions Ombudsman, the Pensions Advisory Services and the Money and Pensions Service.
- The Secretary of State for Energy Security and Net Zero in the capacity of guarantor of the benefits of members of the Scheme.
- The Coal Industry Social Welfare Organisation ("**CISWO**"), a national charity supporting former British Coal employees and their families, to help us to obtain information to support claims for adult dependant benefits and other discretionary awards. The consent of potential Dependants will be obtained by CISWO in these circumstances.
- Professional medical advisers, when you are being considered for ill-health benefits; transfer of your data to these advisers will only be done with your express permission.
- OnBoard, an online service that enables the papers being accessed for the meetings of the Trustee and Sub-Committees to be accessed securely.
- We also use other service providers who use the information on our instructions, including to provide us with information technology services, archive our records, and send mailings.
- Third parties to whom you ask us to disclose your information, for example where you wish to transfer your pension or where you instruct an independent financial adviser.

We do not make your personal information available to any company for commercial purposes.

Where third parties are given access to your personal information, we will take the required contractual, technical and organisational measures to ensure that your personal information is processed only to the extent necessary and in accordance with applicable data protection laws.

TRANSFERRING INFORMATION OUTSIDE THE UK

We store your personal information inside the UK or the European Economic Area (EEA). Where it is necessary to transfer personal information outside of the UK or EEA (for example, because you have moved to a country outside of the UK or EEA or our service providers use subcontractors located in a country outside the UK or EEA), we will take appropriate measures to ensure that your personal information is adequately protected in a manner which is consistent with this Privacy Notice and in accordance with data protection laws. These safeguards include implementing applicable standard contractual clauses to govern transfers of personal information outside of the United Kingdom and the EEA.

Please contact us using the details in the section “CONTACTING US” if you would like more information regarding this.

SECURITY OF YOUR PERSONAL INFORMATION

We use appropriate technical and organisational measures to protect the personal information that we collect and process about you. The measures we use are designed to provide a level of security appropriate to the risk of processing your personal information. When we pass your information to a third party, we seek to ensure that they have appropriate security measures in place to keep your information safe and to comply with general principles in relation to data protection.

RETENTION OF YOUR INFORMATION

We retain your personal information for as long as reasonably necessary to fulfil the purposes explained in this Privacy Notice, including for the purposes of satisfying any legal, accounting, tax, regulatory or reporting requirements. Our general retention policy is to hold your personal information for 15 years after the Scheme’s cessation where all benefits payable in the Scheme have ceased. Given the nature of pension schemes, we keep your information for long enough to ensure that we can satisfy our legal obligations in relation to the Scheme and pay any benefits due to or in respect of you and so that, if a query arises in the future about your benefits, we have enough information to deal with it where we have a legal obligation to do so. We also need to retain your personal information so that we can respond to any complaint or challenge and/or deal with any claim or dispute that might arise in respect of our relationship with you.

YOUR RIGHTS OVER YOUR INFORMATION

You have the following rights as a data subject under the data protection laws in relation to your personal information:

- Right to access and obtain a copy of your personal information
- Right to correct your personal information
- Right to restrict the use of your personal information
- Right to have your personal information deleted
- Right to object to the processing of your personal information
- Right to data portability (to obtain and reuse your data for your own purposes)
- Right to reject automated decision making (including profiling, where the decision has a legal or significant impact on you)
- Right to withdraw your consent to the use of your information (to the extent that such use is based on your consent)

You can exercise any of these rights by contacting us using the details in the section “CONTACTING US”.

Please note that some of these rights are not absolute and are subject to restrictions and exemptions.

You can generally exercise these rights free of charge except in some very limited circumstances where we can charge a reasonable fee. We will explain these to you where they are relevant.

Raising a complaint - If you have any concerns about how we process your personal data and/or believe that we have infringed the data protection laws, you have the right to raise a complaint with us. You can do so by contacting us using the details set out in the section “CONTACTING US”. Any complaint will be handled in accordance with our internal procedures and in compliance with the data protection laws. We would be grateful for the opportunity to respond to your complaint first.

You have the right to lodge a complaint with the relevant data protection regulator (in the UK, this is the ICO) in relation to the way we process your personal data. For the ICO, you can contact them through their preferred contact methods at the following link - [Make a complaint | ICO](#) and the helpline number is 0303 123 1113.

KEEPING THIS NOTICE UPDATED

This Privacy Notice was formally adopted by the Trustees in May 2018. We regularly review this notice to ensure it remains up-to-date and accurate. We will take appropriate steps to bring any amendments to your attention consistent with the significance of the changes we make in compliance with the data protection laws.

CONTACTING US

If you wish to contact us about any of the matters set out in this Privacy Notice, please write to:

Data Protection Compliance

BCSSS

Ventana House

2 Concourse Way

Sheaf Street

Sheffield S1 2BJ

Email: data.protection.bcsss@coal-pension.org.uk