

Privacy Notice

Background/ who we are

The “Trustees” (or “we”) are the trustees of the of the Arts Council Retirement Plan (1994) (“The Plan”).

We hold certain personal data about you, our Plan members and, where necessary, your dependants and beneficiaries. For legal purposes, the Trustee is known as the “**data controller**”, as we decide the purposes for and the means by which the personal data we hold is processed. Personal data/information is information that uniquely identifies you.

The Trustees are committed to respecting your rights under data protection laws and we are providing this notice to help you understand how we collect and use your information. We take the privacy of your personal information very seriously.

How we use this personal information

The Trustees have a legitimate interest in holding and processing information about you in order to properly administer the Plan and to calculate and pay your benefits. The Trustees also hold and process this information to comply with their obligations under the Trust Deed and Rules of the Plan and relevant legislation. Your personal data is held on paper and on computer systems. As the data controller, we must process this information fairly and lawfully.

Information we hold about you

We aim only to collect and hold the information about you which is necessary for the running of the Plan. This will include information we have collected in the past as well as new information we obtain. The types of personal information we may collect and hold could include, for example:

- your name and postal address
- date of birth
- gender
- marital status
- telephone number
- National Insurance number
- financial information including salary information relevant to your benefits in the Plan
- bank account details
- email address
- details about your pension benefits
- tax code
- details of other pension schemes and potential previous benefits from other employers
- details and financial information in relation to your next of kin, dependants or other nominated beneficiaries

and other necessary information collected on joining the Plan or during your membership. Information is generally collected from you or your employer, but may also be collected from other sources if relevant, including other pension schemes and pension providers, other advisers with whom the Trustees communicate in relation to the administration of the Plan, and HMRC.

As part of running the Plan, we may also need to hold and process particularly sensitive information about you and/or your dependants and beneficiaries (known as “special categories of personal data”) to pay certain benefits. Under the legislation, details relating to health, racial or ethnic origin, religious or other similar beliefs, sexual orientation and political affiliations are regarded as special categories of personal data. Although we do not routinely have any need to hold any of this information, we do where aspects come to light whilst making decisions about exercising discretion in the payment of death benefits and deciding on whether to award an ill-health retirement pension. Except where the legislation allows it, this information cannot be processed or passed to a third party without explicit consent.

Who we share your personal information with

We are not allowed to disclose personal data about you to other parties except:

- when required for contractual or legal reasons or other specifically identified purposes; or
- where you have given your consent.

However, as the Trustees need help from various entities to properly administer the Plan, your information may, be disclosed for processing to:

- your current, past or future employers that participate in the Plan (eg the HR and Payroll departments);
- the Plan’s professional advisers, including the actuary, auditor, medical advisers, investment adviser and lawyers and other third parties who assist with the day-to-day administration of the Plan, such as tracing agencies;
- the advisers and printers who help us prepare various communications we send to you, such as the annual benefit statement;
- auditors or contractors or other advisers auditing any of our business processes
- insurance companies for the purposes of life insurance and investing additional voluntary contributions
- banks and other payment systems
- regulators and Government bodies (including HMRC and the Pensions Regulator – the Trustees can be fined and subject to other action if they fail to provide information to these authorities).

The Scheme’s administrator is currently Hymans Robertson LLP. When providing administration services to the Scheme, Hymans acts as a data processor and processes member data on behalf of the Trustees.

Hymans Robertson LLP also provides actuarial, investment and consultancy services, including advice and analytics to the Trustees of the Scheme, including through the Scheme Actuary. When providing actuarial services, the Scheme Actuary (currently Bill Barnes) and Hymans act as joint data controllers with the Trustees. For more information on these roles, please visit:

https://www.hymans.co.uk/media/uploads/How_Hymans_Robertson_uses_your_personal_data.pdf

Some of the entities noted above may transfer or host data to/in other countries, including countries outside the UK who are not covered by an adequacy decision. Where this is the case, we put in place safeguards in line with the data protection legislation recommendations and requirements. In particular, and where required, we will ensure our arrangements with any relevant third parties are governed by data transfer agreements, designed to ensure that your data is protected on terms approved for this purpose by the UK’s Information Commissioner’s Office.

How long we keep your personal information

We must keep all personal information safe and only hold it as long as is necessary. To comply with the law we must keep certain personal data for a minimum of 6 years. But, given the nature of pension schemes, the Trustees expect it to be necessary to keep this information for the duration of the Plan and for up to 15 years after the last payments are made under the Plan.

However, we do keep under review what personal data we are holding in relation to the Plan, and how long we need to hold it, in accordance with our data retention policies.

Your rights to your personal information

Part of our role in keeping the information we hold about you safe is to let you know about your rights in relation to that information. You can write to us at any time to obtain a copy of the information we hold about you and to have any inaccuracies corrected. Where appropriate, you may have the right to have your personal information erased, rectified, transferred, amended or completed; and, where you have given your consent to us processing your data, you can withdraw that consent.

You should be aware that taking any of the above steps could impact on the payment of your benefits, your participation in the Plan, and/or our ability to answer questions relating to your benefits.

Please also note that the Trustees can take steps to override a member's request to object to processing, to withdraw consent or to delete personal data, if this will impact the payment of your benefits.

Information will generally be provided to you free of charge, although we can charge a reasonable fee in certain circumstances particularly if frequent requests are made.

Who to contact about your personal data

If you wish to:

- see your personal data or to exercise any of the rights mentioned above
- request a hard copy of this notice
- make a complaint about how we have handled your personal data

please contact the Trustees using the contact details below in the first instance:

The Trustees of the Arts Council Retirement Plan (1994)
c/o Hymans Robertson
20 Waterloo Street
Glasgow
G2 6DB

Email: arts.council@hymans.co.uk

Phone: 0141 566 7656

Making a complaint to the Information Commissioner's Office

If you are not satisfied with our response to any query you raise with us, or you believe we are processing your personal data in a way which is inconsistent with the law, you can complain to the Information Commissioner's Office, whose helpline number is: 0303 123 1113.

Updates to this notice

This notice is the latest version as at [INSERT DATE] 2023. This notice will be updated from time to time and you can see the current version at any time on the Trustee's website at:

<http://www.artscouncil.org.uk/working-us/arts-council-england-retirement-plan>

Alternatively, if you would prefer to receive a hard copy of the notice, please let us know (see “Who to contact” above).