

# KAS Bank UK Retirement Benefit Scheme Data Privacy Notice

## Introduction

This notice explains how the Trustees of the KAS Bank UK Retirement Benefit Scheme (the Scheme) use and protect the personal information that it holds about members and other beneficiaries of the Scheme.

The current data protection laws are set out in the Data Protection Act 1998. These laws were replaced by the General Data Protection Regulations (GDPR) as laid by the European Union (EU), which came into effect on 25 May 2018 and applied to all EU member states at that time. A Data Protection Bill was passed by Parliament which updated the data protection laws in the UK in respect of GDPR and extended data protection laws to areas not covered by the GDPR. These are collectively referred to as the "Data Protection Laws" in this Privacy Notice.

The Trustees are a "Data Controller" for the purposes of the Data Protection Laws.

The Trustees also recognise that in various circumstances the Scheme Actuary and legal advisers may also be classified as Data Controllers.

## What is personal data?

Personal data refers to any information that relates to an identifiable living person who can be identified by that data. This data will include data the Trustees have received in operation of the Scheme from you e.g. the data used to calculate benefits that you are entitled to.

## What types of personal data might we hold about you?

We will receive data from multiple sources and during your various interactions with the Scheme. This could include occasions when you have:

- Completed a new joiner form;
- Corresponded or contacted the Scheme by telephone, email or post; or
- Provided details in relation to your retirement from the Scheme.

The employer will also provide data to us. This would usually be in the form of periodic information in relation to your earnings and pension contributions. This may include details when you changed working hours or marital status.

We may hold and process any or all the following personal data about you if relevant to your membership of the Scheme:

- personal details such as your name, gender, age, date of birth, contact details e.g. your address and postcode, email, telephone and mobile number and identifiers such as your passport number, National Insurance number, pension or member reference number and employee number (where applicable);
- details of your family, lifestyle and social circumstances. This could include details about your current marriage or civil partnership, any previous relationships and details of your family and dependants;
- employment details such as your earnings, length of service, joining and termination details and job title;
- other financial details such as income, salary, bank account details (e.g. to process pension payments) and other pension benefits; and
- description of your physical or mental health.

## Why do we hold this data?

We hold this data because it is necessary for us to administer the Scheme. Without your personal data, we cannot provide you with the correct benefits, at the right time. For example, this information may be required to verify your membership of the Scheme, to calculate your pension, or to assess whether you are entitled to a specific benefit.

We also hold unique identifier information you provide to us, such as your National Insurance number, pension or member reference number and employee number (where applicable). We use this for the purposes of administering communications about the Scheme to you and verifying your identity.

In some instances, we may need to hold and process data relating to your physical or mental health, for example if you are applying for a pension on grounds of ill-health. We will ask for your explicit consent to this (which may be withdrawn by you on written notice), unless there is an alternative legal basis for processing this information under the Data Protection Laws.

## Using your data in accordance with Data Protection Laws

Data Protection Laws require that we meet certain conditions before we can use your data in the manner described in this Privacy Notice.

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 rely on a condition known as "legitimate interests" 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 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.

## What do we do with the data?

We may use your personal data for several purposes, including the following:

- to administer the Scheme. This includes processing data to calculate and pay benefits. It could also include dealing with queries relating to your membership of the Scheme;
- to carry out our obligations arising from any agreement that we have with, or concerning, you and to provide you with the information, benefits and services that you request from us;
- to notify you about services provided to members of the Scheme and any changes to those services;
- for statistical, financial modelling and reference purposes;
- for internal record keeping;
- 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;
- in connection with any sale, merger, acquisition, disposal, reorganisation or similar change of your employer's business.

## How long do we keep your data for?

We will hold your personal information on our systems for as long as is necessary for the Scheme to provide benefits to you or your dependants.

So, for example, if your pension is paid from the Scheme when you retire, we will hold your information for the rest of your life, until your pension ceases on your death. If a pension is payable to any of your dependants after your death, we will continue to hold your information until their pensions cease. We will also continue to hold your information for a further period after all benefits payable to you and your dependants have ceased in case there are any further queries about your membership of the Scheme.

If a pension is not paid from the Scheme when you retire e.g. because you transfer your benefits to another pension arrangement, we will hold your information for as long as you are a member of the Scheme, and for a period after you cease to be a member, in case any further queries arise about your membership of the Scheme.

## Who do we share the data with?

We share your information with the Scheme's administrator, Quantum Advisory.

Where required by the Scheme, we may also share your information with:

- the Scheme's service providers, professional advisers, actuaries and auditors;

- companies within your employer's group and their professional advisers;
- regulators, government departments, law enforcement authorities, and insurance companies;
- any relevant ombudsman, dispute resolution body or the courts; and
- persons in connection with any sale, merger, acquisition, disposal, reorganisation or similar change in your employer's business.

Some of these entities may also be data controllers under the Data Protection Laws.

## Data security and where we store your personal data

When we pass your information to a third party; we seek to ensure that they have appropriate data security measures in place to keep your information safe and to comply with the principles in relation to data protection.

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

## Your rights in relation to your personal data

The accuracy of the information that we hold about you is important to us. If any of the information that we hold is inaccurate or out of date, please let us know using the contact details set out at the end of this notice.

You have a number of rights under the Data Protection Laws in relation to the way we process your personal data, namely:

- to access your data (by way of a subject access request);
- to have your data rectified if it is inaccurate or incomplete (right to rectification);
- in certain circumstances, to have your data deleted or removed (right to be forgotten);
- in certain circumstances, to restrict the processing of your data;
- a right of data portability, namely to obtain and reuse your data for your own purposes across different services;
- to object to direct marketing;
- not to be subject to automated decision making (including profiling), where it produces a legal effect or a similarly significant effect on you; and
- to claim compensation for damages caused by a breach of the Data Protection Laws.

If the above rights come into conflict with your best interest, for example the provision of an ongoing pension for you or your dependants, the Trustees may reject your request.

If you wish to exercise any of these rights, please contact Quantum Advisory using the contact details below.

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.

## Any complaints?

If you are not happy with the way in which your personal information is held or processed by the Trustees, you have the right to complain about data protection matters to the Information Commissioner's Office (ICO). You can visit their website [www.ico.org.uk/concerns](http://www.ico.org.uk/concerns) or call its helpline on 0303 123 113.

## Changes to this Privacy Notice

This privacy notice is current as at December 2022.

We keep our privacy notice under regular review and may change it at any time. We will tell you about any significant changes.

## Contact us

For queries on data protection or the Scheme in general, please contact:

Quantum Advisory  
St Mary's Court  
The Broadway  
Amersham  
Bucks HP7 0UT

Email: [kasbank@qallp.co.uk](mailto:kasbank@qallp.co.uk)

Tel: 01494 927 904

**December 2022**