



PENDRAGON GROUP PENSION SCHEME

DATA PROTECTION NOTICE

Who are we?

We are the Trustee of the Pendragon Group Pension Scheme (the **Trustee, we or us**). We collect, hold and use personal information to help us run the Pendragon Group Pension Scheme (the **Scheme**).

Why are we writing to you?

The Trustee are data controllers in respect of the personal information that we hold in relation to the Scheme. Because we use your personal information, under the UK's data protection laws we have to provide you with certain information.

This notice contains information on:

- the personal information we collect about you, what we do with this information and why we hold it. This is explained in more detail in section one (see page 2).
- who else we get personal information from and who else we share personal information with. This is explained in more detail in section two (see page 3).
- what rights you have in relation to your personal information and who to contact if you have any problems. This is set out in section three (see page 5).
- an explanation of the key terms and phrases that are used in this notice. This is in section four (see page 8).

Where can I get more information?

A copy of this notice can also be found at www.pendragonplc.com

We may change this notice from time to time. Please visit our webpage or contact us in order to receive the most up to date version of this notice. Our contact details are set out in section three of this notice (see page 7).



It is important that you read this notice (and any other privacy information that we send to you) so that you are aware of how and why we are using your personal information.

SECTION ONE

ABOUT YOUR PERSONAL INFORMATION

What information do we collect and process?

We collect and process your personal information because you are a member or connected to a member of the Scheme. We also collect personal information if you contact us in connection with your membership of the Scheme.

We collect and process the following categories of personal information about you:

- **personal contact details** – names, titles, addresses, telephone numbers and email addresses;
- **information about you** – dates of birth, gender, marital status, dependents and next of kin;
- **payroll information** – National Insurance numbers, payroll numbers, bank account details, tax status, salary / pay information; and
- **pension benefits** – information about the pension benefits that you have accrued, investment choices and death benefit nomination forms.

What sensitive personal information do we collect and process?

We usually only ask for sensitive personal information when it is required to help us make a decision in relation to your rights under the Scheme. For example, we may request:

- health information / medical records – we may ask you to provide health information if you request payment of a benefit that can only be paid if you meet certain medical criteria (e.g. ill health early retirement benefits). In addition to receiving this information from you, we may receive medical information from third parties such as your doctor or a third party occupational health provider; or
- other sensitive personal information – we may ask you to provide other sensitive personal information (e.g. information about your relationships) if it is relevant to help us decide on an internal dispute resolution procedure.

In addition, certain categories of sensitive personal information (e.g. race, ethnicity, religious beliefs and sexual orientation) may be revealed on formal documentation that we process in order to identify the recipients of benefits under the Scheme (e.g. birth certificates, marriage certificates, driving licenses and passports).

How do we collect your personal information?

When you join the Scheme, [we ask you to provide personal details so that we can create your membership record:] / [your employer provides information about you so that we can create your membership record].

This information is updated whilst you are a member of the Scheme. Updated information may come from:

- you (e.g. if you get in touch to let us know a new address);

- your employer (e.g. updated salary and payroll information); and
- other third parties (e.g. if you contact the Scheme's administrator to update your personal information or if HMRC provides us with information so that we can deduct the correct level of tax).

In addition, we may request additional information in certain circumstances (e.g. if you request to transfer your benefits to another pension scheme, if you apply for ill-health benefits or when you ask for your benefits to start being paid).

Why do we process your personal information?

We use this information to:

- set up your membership record for the Scheme;
- manage your membership of the Scheme;
- send you information that is relevant to your membership of the Scheme;
- calculate and pay any benefits that you are entitled to; and
- comply with our legal and regulatory duties.

What are our legal grounds for processing your personal information?

In order to comply with our legal obligations

As the Trustee of the Scheme, we are under legal obligations to process your personal information in order to comply with pensions and trust law. For example:

- legislation sets out certain things that the Trustee must do (e.g. sending certain information to the Scheme's members); and
- the Trustee is subject to fiduciary duties under trust law to act in line with the Scheme's governing documentation and to act best interests of the Scheme's beneficiaries.

In order to fulfil our legitimate interests

Processing your personal information is also legal if it is based on our 'legitimate interests'. In order to rely on this legal ground, we have:

- considered the impact the processing has on your interests and rights; and
- implemented appropriate safeguards to ensure that your privacy is protected as far as possible.

SECTION TWO

SHARING YOUR PERSONAL INFORMATION

What do we do with any personal information that is provided by third parties?

We receive personal information from sources other than directly from you. This includes information shared by your employer, the Scheme's administrator, its professional advisers, service providers and other relevant third parties.

When we receive this information, we add it to the information we already hold about you in order to help us make sure that your details are as up to date and accurate as possible and so that we can manage your membership of the Scheme.

Who do we share your personal information with?

For the purposes of administering the Scheme and paying benefits under it, the Trustee may need to share your personal information with third parties. This may include your employer or former employer. It may also include third parties who provide advice or services to the Trustee. These may include actuaries, administrators, auditors, insurers, prospective insurers, lawyers, medical advisers, and any other such third parties as may be necessary for the operation of the Scheme.

These third parties will only use the information to provide their services to us. Our suppliers and service providers must act in accordance with our instructions.

In some circumstances, we may have to disclose your personal information by law, because a court or the police or other law enforcement agency has asked us for it. This may include passing information to The Pensions Regulator or HM Revenue and Customs.

What would happen if we did not collect and process your personal information?

If we did not collect and process your personal information then:

- we would not be able to manage or administer the Scheme;
- we would not be able to pay you the benefits that you are entitled to under the Scheme; and
- we could be in breach of our legal and regulatory duties.

SECTION THREE

YOUR RIGHTS AND WHO TO CONTACT

What rights do you have in respect of your personal information?

In certain circumstances, you have the following rights in respect of your personal information:

- the right to request access to personal data relating to you;
- the right to request that any mistakes in your information are corrected;
- rights in relation to automated decision taking;
- the right to request to restrict or prevent your personal data being processed;
- the right to request to have your personal data transferred to another data controller (e.g. if you decide to transfer your pension benefits to another pension scheme);
- the right to request to have your personal data deleted;
- the right to complain to the ICO if you believe we have not handled your personal data in accordance with the UK's data protection laws; and
- the right to pursue compensation for any damage caused by contravention of the UK's data protection laws.

Below, we've set out more information about these rights, along with information on how you can exercise your rights in respect of the Scheme.

Right to access personal data relating to you

You may ask to see what personal data we hold about you and be provided with:

- a copy;
- details of the purpose for which it is being or is to be processed;
- details of the recipients or classes of recipients to whom it is or may be disclosed, including if they are overseas and what protections are used for those overseas transfers;
- the period for which it is held (or the criteria we use to determine how long it is held);
- any information available about the source of that data; and
- whether we carry out an automated decision-making, or profiling, and where we do information about the logic involved and the envisaged outcome or consequences of that decision or profiling.

Requests for your personal data must be made to us in writing (see 'How can you contact us?' below). A copy of your request will be kept on your membership record. To help us find the information easily, please give us as much information as possible about the type of information you would like to see.

If, to comply with your request, we would have to disclose information relating to or identifying another person, we may need to obtain the consent of that person if possible. If we cannot obtain consent, we may need to withhold that information or edit the data to remove the identity of that person if possible.

There are certain types of data which we are not obliged to disclose to you, which include personal data which records our intentions in relation to any negotiations with you where disclosure would be likely to prejudice those negotiations.

Right to correct any mistakes in your information

You can require us to correct any mistakes in your information which we hold free of charge. If you would like to do this, please:

- write or email us (see 'How can you contact us?' below);
- let us have enough information to identify you (e.g. account number, user name, registration details); and
- let us know the information that is incorrect and what it should be replaced with.

Rights in relation to automated decision taking/making

You may ask us to ensure that, if we are evaluating you (for example when doing a credit check on you), we don't base any decisions solely on an automated process and to have any decision reviewed by a member of staff.

These rights will not apply in all circumstances, for example where the decision is authorised or required by law and steps have been taken to safeguard your interests.

Right to prevent processing of personal data

You may request that we stop processing your personal data temporarily if your personal data is being processed on a legal ground other than for complying with a legal obligation and:

- you do not think that your data is accurate. We will start processing again once we have checked whether or not it is accurate;
- the processing is unlawful but you do not want us to erase your data;
- we no longer need the personal data for our processing, but you need the data to establish, exercise or defend legal claims; or
- you have objected to processing because you believe that your interests should override our legitimate interests.

Right to erasure

You can ask us to erase your personal data where your personal data is being processed on a legal ground other than for complying with a legal obligation and:

- you do not believe that we need your data in order to process it for the purposes set out in this privacy notice;
- if you had given us consent to process your data, you withdraw that consent and we cannot otherwise legally process your data;
- you object to our processing and we do not have any legitimate interests that mean we can continue to process your data; or
- your data has been processed unlawfully or have not been erased when it should have been.

Right to withdraw consent

You have the right to withdraw any consent you have given us at any point.

We will also contact you via electronic means to allow you to assess the consent you have given us.

How will we respond to your request?

We will usually respond to any request that you make within a month of receiving your request. If your request is particularly complex, we will let you know that we've received your request and let you know when we aim to respond. You can find out more about your rights under the UK's data protection laws at www.ico.org.uk.

Under the UK's data protection legislation there are exemptions which mean that, in certain circumstances, we may continue to store, process or transfer your data (for example where we need to comply with a legal requirement or have a legally valid legitimate interest in doing so).

What should you do if you have any questions or complaints?

If you do not think that we have processed your data in accordance with this notice, please contact us in the first instance (see below). If you are not satisfied, you can complain to the Information Commissioner's Office. Information about how to do this is available on their website at www.ico.org.uk or by calling their helpline on 0303 123 1113.

How to contact us

Please contact us if you have any questions about this privacy notice or the information we hold about you. If you wish to contact us, please send an email to pensions@pendragon.uk.com or write to us at:

Trustee of the Pendragon Group Pension Scheme, Neway House, 2 Oakwood Court, Little Oak Drive, Annesley, Nottingham, NG15 0DR

Alternatively, you can call the Scheme's helpline on 01623 725193

SECTION FOUR

KEY TERMS AND PHRASES

Data controller	means the natural or legal person or other body who, alone or jointly with others, determines the purposes and means of the processing of personal data. This means that the data controller exercises overall control over the 'why' and 'how' of a data processing activity.
Data Protection Act 1998	is the legislation that currently applies to the processing of personal data in the UK. The Data Protection Bill 2017 – 19 will repeal the Data Protection Act 1998.
Data Protection Legislation	means the Data Protection Act 1998, the Data Protection Bill 2017 – 19 and the General Data Protection Regulation, together with regulatory guidance issued by the European Commission (via the Article 29 Working Party) and the Information Commissioner's Office.
Data protection principles	<p>means the principles that are set out in the Data Protection Legislation relating to the processing of personal data. In the General Data Protection Regulation, there are six principles:</p> <ul style="list-style-type: none">• lawfulness, fairness and transparency;• purpose limitation;• data minimisation;• accuracy;• storage limitation; and• integrity and confidentiality. <p>In addition, there is an overarching principle of accountability.</p>
Data processor	means a natural or legal person or other body who processes personal data on behalf of the data controller.
Data subject	means the identified or identifiable living individual to whom personal data relates.
General Data Protection Regulation (GDPR)	is the primary EU legislation that, on and from 25 May 2018, will apply to the processing of personal data in all member states of the EU.
Information Commissioner's Office (ICO)	is the UK's national data protection authority. It is a public body that is charged with regulating information rights, public sector transparency and individual's privacy in the UK.
Personal data	means any information relating to an identified or identifiable natural person; an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number etc.
Privacy notice	means the information that is provided to inform individuals about what you do with personal data. Under the Data Protection Legislation, data controllers must provide

accessible information to individuals about the use of their personal data.

Processing

means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

Special categories of personal data

(also referred to as sensitive personal data)

means:

- personal data that is personal data which reveals racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership;
- the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person;
- data concerning health; or
- data concerning a natural person's sex life or sexual orientation.