



the Cheviot **trust**

Privacy Policy for Employers and Third parties

September 2023



Policy/Procedure:	Privacy Policy for Employer and Third Party
Strategic plan task ID:	364
Scheme:	All schemes
Objective:	To establish how the Trustee protect Employer and third-party data
Department:	CEO
Next review date:	October 2025
Review timescale:	Biennially

Version	Date	Completed by	Amendment	Approved by	Date approved
1.0	May 2018	Steph Howell	NA	EMCK	May 2018
2	March 2020	H Cox	Update to Data Protection Contact	EMcK	4 March 2020
2.1	April 2021	E Miglec	Update into new style	EMcK	
2.2	October 2021	A Parmenter	Wording changes	Legal Committee	13 October 2021
2.3	October 2022	A Parmenter	Change from Hannah Cox to Georgi Almond-Ive	Risk and Compliance Committee	June 2023
3	Sep 2023	G A-IVE	Biennial review – no changes proposed	Risk and Compliance Committee	September 2023



the Cheviot trust

Cheviot Trustees Limited (the 'Trustee')

The Cheviot Trust (the 'Scheme')

Employer and Third Party Privacy Policy

1 Privacy Policy

- 1.1 The Trustee ('**we/us/our**') is committed to safeguarding the privacy of the representatives of existing and prospective business partners, advisors, suppliers, employers sponsoring or participating in the Scheme, services providers and other third parties. We use commercially reasonable physical, electronic and procedural measures to protect your personal information in accordance with data protection legislative requirements. This Privacy Policy sets out our personal information collection and sharing practices of the personal information you provide to us either in person, in writing, through a website, via email or over the telephone.
- 1.2 Further notices highlighting certain uses we wish to make of your personal information together with the ability to opt in or out of selected uses may also be provided to you when we collect personal information from you.
- 1.3 This Privacy Policy is intended to explain our privacy practices and covers the following areas:
- (a) what personal information about you we may collect;
 - (b) how we may use your personal information;
 - (c) who we may disclose your personal information to;
 - (d) how we protect your personal information;
 - (e) contacting us and your rights in relation to your personal information; and
 - (f) how changes to this Privacy Policy will be made.

2 Information we may collect about you

- 2.1 We may collect and process the following Personal Data about you
- (a) **contact information:** Personal Data that you or your employing entity provide to us including your name, address and other contact details;
 - (b) **contribution information:** where you are a representative of employers sponsoring or participating in the Scheme, we may collect information about your employer contributions¹;

¹ Employers participating in the Final Salary Scheme or the With Profits Section of the Cheviot pension may also provide us with covenant information from time to time. This is not Personal Data and is not subject to this Privacy Policy.



- (c) **our correspondence/telephone notes:** if you contact us, we may keep a record of that correspondence; and
- (d) **website and communication usage:** where you visit our websites, we also collect details of your visits to the websites and information collected through cookies and other tracking technologies including, but not limited to, your IP address and domain name, your browser version and operating system, traffic data, location data, web logs and other communication data and the resources you access.

3 Uses made of your Personal Data

3.1 We may use your Personal Data in the following ways. For each use, we note the legal bases we use to justify each use of your personal information. Further explanation of these legal bases can be found in Appendix 1 to this Policy.

- (a) **to provide our services effectively, manage our relationship with you/your employing entity and conduct our business:** to administer our services, including to carry out our obligations (including in relation to administering the benefits under the Scheme and to fulfil any contractual or other obligations we have with you or your employing entity), which may include passing your data to third parties such as agents or contractors (e.g. IT consultants) or to our advisors (e.g. legal, actuarial, covenant, investment or other advisors);

Legal bases: contract performance, legitimate interests (to enable us to perform our obligations, manage our business and provide our services to our members);

- (b) **to provide marketing materials to you:** to provide you with updates and offers, where you have chosen to receive these or where we have a legitimate interest to provide you with these. We may use your information for marketing our own services and our selected business partners to you by email, post and telephone and, where required by law, we will ask for your consent at the time we collect your data to conduct marketing. We will provide an option to unsubscribe or opt out of further communication on any electronic marketing communication sent to you or you may opt out by contacting us as set out in paragraph 5.4 below;

Legal bases: legitimate interests (to provide with updates and offer), consent if required (which can be withdrawn at any time - please see paragraph 5.4 below);

- (c) **to inform you of changes:** to notify you about changes in respect of the administration of the Scheme or how we operate;

Legal bases: legitimate interests (to notify you about changes to our service);

- (d) **to transfer it to a replacement trustee:** in the event that we are removed as a trustee (for example, if a new trustee were appointed), we may need to transfer some or all of your personal information to the relevant replacement trustee or third party (and/or its advisors) as part of any due diligence process or transferred to that third party and used for the same purposes as set out in this policy;

Legal bases: legitimate interests (in order to allow us to transfer your data to replacement trustees/advisors); and

- (e) **in connection with legal or regulatory obligations:** we may process your personal information to comply with our regulatory requirements which may include a consultation in respect of a specific scheme or Cheviot more generally, disclosing your personal information to third parties, the court service and/or regulators or law enforcement agencies in connection with enquiries, proceedings or investigations by such parties anywhere in the world or where compelled to do



so. Where permitted, we will direct any such request to you or notify you before responding unless to do so would prejudice the prevention or detection of a crime;

Legal bases: legal obligations, legal claims, legitimate interests (to cooperate with law enforcement and regulatory authorities).

4 Transmission, storage and security of your personal information

Security over the internet

- 4.1 While no data transmission (including over the Internet or any website) can be guaranteed to be secure from intrusion, we maintain commercially reasonable physical, electronic and procedural safeguards to protect your personal information in accordance with data protection legislative requirements.
- 4.2 All information you provide to us is stored on our and/or our sub-contractors' secure servers and accessed and used subject to our security policies and standards. If we have given you (or where you have chosen) a password which enables you to access certain parts of our and/or our sub-contractors websites, you are responsible for keeping this password confidential and for complying with any other security procedures that we or our sub-contractors notify you of. We ask you not to share a password with anyone.

Export outside the UK

- 4.3 Your personal information may be accessed by staff or suppliers in, transferred to, and/or stored at, a destination outside the UK in which data protection laws may be of a lower standard than in the UK. Regardless of location or whether the person is an employee or contractor we will impose the same data protection safeguards that we deploy inside the UK.

Certain countries outside the UK have been approved by the UK government as providing essentially equivalent protections to UK data protection laws and therefore no additional safeguards are required to export personal information to these jurisdictions. In countries which have not had these approvals, we will either ask for your consent to the transfer or will transfer it subject to approved contractual terms that impose equivalent data protection obligations directly on the recipient unless we are permitted under applicable data protection law to make such transfers without such formalities.

- 4.4 Please contact us as set out in paragraph 5.4 below if you would like more information about these safeguards.

Storage limits

- 4.5 We will retain your personal information for as long as is necessary for the processing purpose(s) for which they were collected and any other permitted linked purpose (for example, we will usually retain personal data up until the later of the death or transfer out of the beneficiary or dependant (as applicable) plus six years). If information is used for two purposes, we will retain it until the purpose with the latest period expires; but we will stop using it for the purpose with a shorter period once that period expires.
- 4.6 We restrict access to your personal information to those persons who need to use it for the relevant purpose(s). Our retention periods are based on business needs and your information that is no longer needed is either irreversibly anonymised (and the anonymised information may be retained) or securely destroyed.



5 Your rights & contacting us

Your rights

- 5.1 If you have any questions in relation to our use of your personal information, you should first contact us as per paragraph 5.4 below. Under certain conditions, you may have the right to require us to:
- (a) provide you with further details on the use we make of your information;
 - (b) provide you with a copy of information that you have provided to us;
 - (c) update any inaccuracies in the personal information we hold (we will use reasonable endeavours to ensure that your personal information is accurate. In order to assist us with this, you should notify us of any changes to the personal information that you have provided to us by contacting us as set out in paragraph 5.4 below);
 - (d) delete any personal information that we no longer have a lawful ground to use;
 - (e) where processing is based on consent, to withdraw your consent so that we stop that particular processing;
 - (f) object to any processing based on the legitimate interests ground unless our reasons for undertaking that processing outweigh any prejudice to your data protection rights; and
 - (g) restrict how we use your information whilst a complaint is being investigated.

Your exercise of these rights is subject to certain exemptions to safeguard the public interest (e.g. the prevention or detection of crime) and our interests (e.g. the maintenance of legal privilege). If you exercise any of these rights, we will check your entitlement and respond in most cases within a month.

- 5.2 If you are not satisfied with our use of your personal information or our response to any exercise of these rights you have the right to complain to the Information Commissioner's Office (**ICO**). The ICO can be contacted at:

Information Commissioner's Office (Head Office)
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113

Contacting us

- 5.3 The "data controller" of your personal information processed by us under this Privacy Policy is The Trustee.
- 5.4 If you have any questions in relation to this policy, please contact our Data Protection Contact, currently Georgi Almond-Ive by writing to The Cheviot Trust, Kingswood House, 58-64 Baxter Avenue, Southend on Sea, Essex SS2 6BG or call on 01702 354024 or email ceo@cheviottrust.com.



6 Changes to our Privacy Policy

- 6.1 Our Privacy Policy may change from time to time in the future. If we change the uses of your information in a material way, we will provide an update to this Privacy Policy to you.
- 6.2 This Privacy Policy comes into force on 25 May 2018.
- 6.3 Further notices highlighting particular uses we wish to make of your personal information together with the ability to opt in or out may also be provided to you when we collect certain personal information from you.



Appendix 1

Details of legal bases used to justify the processing of your personal information

These are the principal legal grounds that justify our use of your information as referred to in the section 3 of the Privacy Policy titled “Uses made of your personal information”:

<i>Consent: where you have consented to our use of your information (you will have been presented with a consent form in relation to any such use).</i>
<i>Contract performance: where your information is necessary to enter into or perform our contract with you.</i>
<i>Legal obligation: where we need to use your information to comply with our legal obligations.</i>
<i>Legitimate interests: where we use your information to achieve a legitimate interest and our reasons for using it outweigh any prejudice to your data protection rights.</i>
<i>Legal claims: where your information is necessary for us to establish, defend, prosecute, or make a claim against you, us or a third party.</i>