

## **ML Pension Scheme (Previously known as The Marley 1986 Pension Scheme) Privacy Notice**

### **Who we are**

ML Pension Trustees Limited is the trustee (“the Trustee”) of the ML Pension Scheme (“the Scheme”). As the Trustee of the Scheme, we hold certain personal information (known as “personal data”) about scheme members and, where applicable, their dependants and beneficiaries. Most of the information held about you and processed by the Trustee in running the Scheme will be personal data. 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.

### **What information we collect about you**

Depending on the circumstances and the stage of your membership, we may hold some or all of the following information about you:

- your name and date of birth
- your gender
- your marital status
- your address and other contact details (such as telephone number and email address)
- your national insurance number
- details of your bank account so that we can pay benefits to you
- details about your dependants and/or beneficiaries (including their names and possibly details of their gender)
- relevant employment information (including current and past salary information and employment dates)
- details about your pension benefits
- medical and other details about your health (used for ill-health retirement applications only)

In order to properly administer the Scheme and to calculate and pay benefits, from time to time the Trustee may also need to hold other information about you.

### **How we use that information**

The Trustee has a legitimate interest in holding and processing the above information about you as it is needed for us to properly administer the Scheme and to calculate and pay benefits. We also keep the above information in order to allow us to comply with our obligations towards members under the Scheme governing documents, as well as under relevant legislation and under trust law. Your personal data will generally be collected directly from you or from your employer. However, we may also receive personal data from other parties such as HM Revenue & Customs, the Pensions Ombudsman or someone acting on your behalf, such as an independent financial adviser. If you are receiving a dependant’s benefit from the Scheme, we may have been given your personal data by the member or through enquiries undertaken by us on a member’s death. Personal data relating to the Scheme is held on paper and on computer systems. As the “data controller”, the Trustee must process this information fairly and lawfully. As part of running the Scheme, we may also need to hold and process particularly sensitive information about you and/or your dependants and beneficiaries (known as “**sensitive personal data**”). Under the legislation, details relating to health, racial or ethnic origin, religious or other similar beliefs, sexual orientation and political affiliations are regarded as “sensitive personal data”. Except where the legislation allows it, this information cannot be processed or passed to a third party without your explicit consent.

### **Who we share it with**

We are only allowed to disclose personal data about you to other parties when the law allows us to do so, for example:

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

As the Trustee needs help from various advisers to properly administer the Scheme, we share personal data with the following:

- your current, past or future employer which may include group companies which are based outside the EEA. Where data is sent outside the EEA, appropriate safeguards are put in place to ensure that your data is kept secure.
- our Scheme secretary.
- the Scheme's professional advisers, including the Scheme actuary, auditor, medical advisers, investment adviser and lawyers.
- the third parties who are responsible for the day-to-day administration of the Scheme on behalf of the Trustees.
- HM Revenue & Customs and other statutory bodies (such as the Pensions Ombudsman and the Pensions Regulator) – the Trustees can be fined and subject to other action if it fails to provide certain information to these authorities.
- the advisers and printers who help us prepare various communications we send to you, such as the annual benefit statement.
- our appointed insurance company or companies for the purposes of life insurance, longevity insurance and additional voluntary contributions.
- depending upon how we pay pensions, the personal data we have to supply in order to effect pension payroll in the UK and/or a payment via the administrators' banking providers when pensions are being paid overseas.
- beneficiary and mortality tracing agencies.

#### **How long we keep personal data for**

We must keep all personal data safe and only hold it for as long as necessary. To meet the requirements of both UK tax and pensions law, we must keep certain personal data (for example, details about the date a member joins the Scheme, their name and address, and details of benefits paid) for a minimum of 6 years. But, given the nature of pension schemes, the Trustee may be required to keep some of your personal information for the lifetime of the Scheme plus 15 years (the period of time that someone can potentially bring a claim against the Scheme). Our service providers (and former service providers) may also have similar valid grounds to keep your personal information for such long periods. However, we review the personal data held in relation to the Scheme on a regular basis to check that it is still needed.

#### **Your rights**

- **Right to rectification** – if at any point you believe that the personal data we hold about you is inaccurate, you can ask to have it corrected.
- **Right of access** – you have the right to see personal data that is held about you and a right to have a copy provided to you, or someone else on your behalf, in a machine readable (namely, digital) format.
- **Right to restrict processing** – you can require the Trustee to limit the processing of your personal data in certain circumstances, for example, whilst a complaint about its accuracy is being resolved.
- **Right to object to processing** – where we rely on legitimate interests as a reason for processing, you can object to your personal data being processed, although the Trustee can override this objection in certain circumstances. Where we rely on other legal grounds for processing, the right to object to processing does not apply.
- **Withdrawing consent** – where you have given us your consent to processing your personal data, you can withdraw that consent at any time by notifying us (see "Who to contact" below). However, withdrawing your consent will not affect the processing of any personal data which took place beforehand and it may be possible for the Trustee to continue processing your personal data where this is justified.
- **Right to be forgotten** – you can request that your personal data is deleted altogether. Whether your data is deleted will depend on whether you have a legal basis for requiring deletion and whether any of the exemptions to the right to erasure apply. You should be aware that taking any of the above steps could impact on the payment of your benefits, your participation in the Scheme, and/or our ability to answer questions relating to your benefits. Information will generally be provided to you free of charge, although the Trustee can charge a reasonable fee in certain circumstances.

**Who to contact about your personal data**

If you wish to see your personal data or to exercise any of the rights mentioned above, or request a hard copy of the notice or make a complaint about how we have handled your personal data, please contact the Scheme Administrator on 0203 835 9293 or by e-mail using [MLPensions@thpa.co.uk](mailto:MLPensions@thpa.co.uk).

**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. This notice is the latest version as at 1 September 2023. This notice will be updated from time to time, and you can see the current version at any time on [www2.myworkpension.co.uk](http://www2.myworkpension.co.uk). Alternatively, if you would prefer to receive a hard copy of the notice, please let us know (see "Who to contact" above).