

## **Genome Research Limited Pension Plan (the “Plan”) Privacy notice**

The Trustees of the Plan are committed to protecting the privacy and security of your personal information in accordance with data protection law. We will collect, store, and use a range of personal information about you as a member of the Plan through the joining process, during your time working at GRL or through direct contact as a deferred member or as a pensioner or beneficiary in order to run the Plan and calculate and pay benefits to or in respect of all members.

We will only use your personal information as required to calculate and pay your benefits under the Plan, where we need to comply with a legal obligation or where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using your information.

## **What is the purpose of this privacy statement?**

The Genome Research Limited Pension Plan Trustees (the "Trustees") are committed to protecting the privacy and security of your personal information in accordance with data protection law. This privacy notice describes how we collect and use personal information about you as a member of the Plan in accordance with data protection law. It applies to all active members, members with deferred benefits and pensioners and beneficiaries but it does not form part of any contract of employment or other contract to provide services.

The Trustees are a "data controller". This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

It is important that you read this notice and any update to this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

This is quite a long statement with a lot of information in it, but we felt it was important to give you all the information in one place.

To help you digest this information, we have broken it down into the following sections:

*Data protection principles*

*The kind of information we hold about you*

*How your personal information is collected*

*How we use information about you*

*Situations in which we will use your personal information*

*If you fail to provide personal information*

*How we use particularly sensitive personal information*

*How we use diversity monitoring information*

*Our obligations as an employer*

*Do we need your consent?*

*Information about criminal convictions*

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*How we share your information*

*How we look after your information*

*How long we keep and use your information*

*Your rights over your information*

*Data protection officer*

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## **Data protection principles**

We will comply with data protection law. This says that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only for as long as necessary for the purposes we have told you about.
6. Kept securely.

## **The kind of information we hold about you**

Your personal data, or personal information, is any information about you from which you can be identified. It does not include data where your identity has been removed (anonymous data). There are "special categories" of more sensitive personal data which require a higher level of protection.

The Plan collects, stores, and we use the following categories of personal information to assist the Trustees to calculate and pay benefits and this may include the following information about you:

- name, title, addresses, telephone numbers, and personal email addresses
- Date of birth
- Gender
- Marital status and dependants
- Next of kin and emergency contact information
- National Insurance number
- Bank account details, payroll records and tax status information
- Salary, annual leave, pension and benefits information
- Start date and periods of service and Plan membership
- Pension contributions
- Age of retirement
- Employment records (including job titles, work history, working hours, training records and professional memberships) Compensation history

We may also collect, store and use the following "special categories" of more sensitive personal information:

- Information about your health, including any medical condition.

## **How your personal information is collected**

The Plan collects the personal information we use for active members through their application and recruitment process at GRL, either directly from candidates or sometimes from an employment agency or background check provider. We then add to this during your employment with GRL.

We collect and hold information about you in GRL's systems and the systems of certain third parties.

Whilst much of the data we hold has been provided by members themselves, the Trustees also hold and process data provided by GRL, HM Revenue and Customs (HMRC), the Department for Work and Pensions (DWP) and regulatory bodies and by tracing organisations. We also receive information from members about their proposed beneficiaries, who may be eligible to receive benefits on the member's death. We will not provide a copy of this notice to those individuals as to do so is likely to seriously impair our ability to properly pay the benefits due under the scheme.

## **How we use information about you**

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

1. Where we need to calculate and pay your benefits under the Plan.
2. Where we need to comply with a legal obligation.
3. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

We may also use your personal information in the following situations, which are likely to be rare:

1. Where we need to protect your interests (or someone else's interests).
2. Where it is needed in the public interest [or other official purposes].

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is in line with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

We may use your personal information without your knowledge or consent where this is required or permitted by law.

## **Situations in which we will use your personal information**

As a data controller, the Trustees collect and process your personal data for the purposes of complying with their legal duties to administer the Plan, including to calculate and pay benefits to or in respect of all members. The Trustees also collect and process your personal data for other legitimate purposes relating to the operation of the Plan. e.g. funding, benefit design, investment, derisking, liability management, issuing communications, offering certain options to members and responding to enquiries.

We need all the categories of information in the list above (see *The kind of information we hold about you* above) to allow us to calculate and pay your benefits under the Plan, comply with legal obligations and in some cases we may use your personal information to pursue legitimate interests of our own or those of third parties (provided your interests and fundamental rights do not override those interests).

The situations in which we will process your personal information are listed below. We have indicated the purpose or purposes for which we are processing or will process your personal information, as well as indicating which categories of data are involved. We use your information for the following purposes:

- a) communicating with you in relation to your benefits and contributions, handling requests for transfers and allocation of death benefits, dealing with complaints, and making disclosures at your request such as in relation to transfers to other schemes;
- b) for general administration of the Plan, including: to record and pay benefits; for actuarial valuations and calculations; for reviews we or our administrators conduct for statistical and reference purposes; and for other checks or administrative activities that may become necessary from time to time (like member tracing should we happen to lose contact with you) or to prevent fraud;
- c) for meeting our on-going regulatory, legal and compliance obligations, and investigating or preventing crime;
- d) to improve our processes and our use of technology, including testing and upgrading of systems, and to learn about other processes we can use to improve the administration of the Plan; and
- e) when we undertake or agree to activities from time to time to help us manage the liabilities of the Plan, such as longevity modelling and hedging, insurance, bulk transfers, pension increase exchanges and transfer value exercises, including (where relevant) disclosures to administrators for calculating offers made to you in relation to these activities and disclosures to advice providers to allow you to obtain financial advice.

Our use of your information as described above is permitted by applicable data protection law because it is:

- (i) necessary for our legitimate interests in pursuing the purposes set out in (a) to (e) above, and (when we make the disclosures to Wellcome for the audit and corporate transaction purposes referred to below) necessary for their legitimate interests, such interests in each case not being overridden by your privacy interests;
- (ii) required to meet our legal or regulatory responsibilities, including when we make the disclosures to authorities, regulators or government bodies;
- (iii) in some cases, necessary for the performance of a task carried out in the public interest and, when we use special categories of personal data, necessary for establishing, exercising or defending legal claims or where the processing relates to personal data manifestly in the public domain; and
- (iv) in limited circumstances, processed with your consent which we obtain from you from time to time, such as when you ask us to make disclosures or direct us on benefit payments or where the Plan Rules require you to provide information which we cannot otherwise process without your consent.

Where the personal data we collect from you is needed to meet our legal or regulatory obligations or to calculate or pay benefits to you or your nominated beneficiaries, if we cannot collect this personal data we may be unable to record, calculate or pay your or your beneficiaries' benefits.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal information.

## **If you fail to provide personal information**

If you fail to provide certain information when requested, we may not be able to properly administer the Plan (such as paying your pension), or we may be prevented from complying with our legal obligations.

## **How we use particularly sensitive personal information**

"Special categories" of particularly sensitive personal information (for example in relation to ill-health or death benefits) require higher levels of protection. We will only process that data where we need to as part of administering the Plan.

## **Automated decision-making**

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. We are allowed to use automated decision-making in the following circumstances:

1. Where we have notified you of the decision and given you 21 days to request a reconsideration.
2. Where it is necessary to perform the contract with you and appropriate measures are in place to safeguard your rights.
3. In limited circumstances, with your explicit written consent and where appropriate measures are in place to safeguard your rights.

We will not make an automated decision on the basis of any particularly sensitive personal information without ensuring we have your explicit written consent and appropriate safeguards in place beforehand.

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making, unless we have a lawful basis for doing so and we have notified you.

We do not envisage that any decisions will be taken about you using automated means, however we will notify you in writing if this position changes.

## **How we share your information**

We share your personal data with certain third parties involved in running the Plan, for example, JLT (the Administrator), JLT (the Actuary) and the individual Scheme Actuary, JLT (the Plan Secretary), CMS (legal adviser), JLT (printers), Deloitte (auditors), Corazon (occupational health advisers) and various AVC and annuity providers,. We and they may also be required to share personal data with HMRC, the DWP and other regulatory bodies.

In some circumstances we are joint controllers with third parties such as the Scheme Actuary, actuarial advisers, auditor, and the legal advisers (who may process your data to comply with their professional duties as advisers to the Trustees). GRL holds your data to comply with its legal obligations as the sponsoring employer of the Plan. It has a legitimate interest in the Plan being run in a cost effective

way and may have an interest in offering certain options to members. The Trustees may share information with GRL and its auditors and advisers for this purpose.

GRL may also have to share your data with third parties, including third-party service providers and other entities in the group.

We require third parties to respect the security of your data and to treat it in accordance with the law.

We may transfer your personal information outside the EU.

If we do, you can expect a similar degree of protection in respect of your personal information.

### **Why might you share my personal information with third parties?**

We will share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so.

### **Which third-party service providers process my personal information?**

"Third parties" includes third-party service providers (including contractors and designated agents) and other entities within our group. The following activities are carried out for GRL by third-party service providers: payroll, pension administration and IT services.

### **How secure is my information with third-party service providers and other entities in our group?**

All our third-party service providers and other entities in the group are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

### **What about other third parties?**

We may share your personal information with other third parties, for example in the context of the possible sale or restructuring of the business. We may also need to share your personal information with a regulator or to otherwise comply with the law.

## **Transfers of your information outside EU**

The use and disclosure of your information, including for the purpose referred to in (a) to (e) above, may involve transferring your information outside of the European Economic Area. In those cases, except where the relevant country has been determined by the relevant public authority to ensure an adequate level of data protection, we will ensure that the transferred information is protected, for example by a data transfer agreement in the appropriate standard form approved for this purpose by the European Commission or (where applicable) relevant authority in the United Kingdom. Further details of these transfers including copies of any data transfer agreements we use are available from us on request.

## **How we look after your information**

GRL have put in place measures to protect the security of your information which they hold. Details of these measures are available upon request from GRL's Head of Legal. Third parties will only process your personal information on our instructions and where they have agreed to treat the information confidentially and to keep it secure.

GRL have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality. Details of these measures may be obtained from the plan administrator.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

## **How long we keep and use your information**

Pension benefits are paid over a long period and your right to benefits under the Plan is based on information which may go back many years. Our policy is therefore to retain information relating to you until after your membership of the Plan ends.

Once your membership ends, we may decide to delete some of the data held in relation to you, depending on the circumstances. However, information may be held for as long as we consider appropriate in order to ensure the Plan pays the correct benefits and to deal with any queries relating to your benefits which may arise after that time.

The administrators (JLT) and other advisers will hold on to some or all of your personal data in accordance with their retention policy after the termination of their appointment to the Plan. This is to protect themselves against any subsequent legal claims. In those circumstances, the adviser will be the data controller of your personal data and will be responsible for compliance with data protection requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

## **Your rights over your information**

### **Your duty to inform us of changes**

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

### **Your rights in connection with personal information**

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.



- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.

Please note that if we do not hold all the data we need to administer your benefits, we may not be able to pay out the benefits you are entitled to.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact the Plan HR Business Partner or GRL's Head of Legal in writing.

#### **No fee usually required**

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, a reasonable fee may be charged if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

#### **What we may need from you**

GRL may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

#### **Right to withdraw consent**

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time.

Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

#### **Data protection officer**

GRL's Head of Legal oversees compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact them. You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.

## **Changes to this privacy statement**

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

**If you have any questions about this privacy notice, please contact GRL's Head of Legal or email [dataprotection@sanger.ac.uk](mailto:dataprotection@sanger.ac.uk).**