

## De Beers UK Pension Scheme: Privacy Notice

The Trustees of the De Beers UK Pension Scheme (the “**Scheme**”, “we”, “our” or “us”) and Scheme Actuary (in its capacity as Scheme Actuary for the defined benefit section of the Scheme) are committed to protecting your information and acting in accordance with your rights under data protection law.

In accordance with guidance issued by the Information Commissioner’s Office (ICO) and the Institute and Faculty of Actuaries (IFoA), the Trustees and Scheme Actuary (currently Rachel Myatt of Hymans Robertson LLP) are considered “joint data controllers” for the purposes of data protection law. This means that the Trustees and the Scheme Actuary jointly take decisions about how your personal information is used.

The Trustees and the Scheme Actuary have in place an agreement which sets out the roles and relationships of each party. You can request more information on the essence of this agreement by contacting us, or by visiting:

[https://www.hymans.co.uk/media/uploads/How\\_Hymans\\_Robertson\\_uses\\_your\\_personal\\_data.pdf](https://www.hymans.co.uk/media/uploads/How_Hymans_Robertson_uses_your_personal_data.pdf)

This privacy notice contains information on what personal information about you the Scheme collects, what we do with this information, the lawful bases on which personal information is processed and what rights you have.

### 1 Collection of your information

We collect and process the following information about you:

- your personal details such as your name, gender, date of birth, home address, telephone number, e-mail address, national insurance number, bank account details (in some cases), country of residence, voice biometrics & voice recordings (in some cases in relation to the defined contribution section) and IP address to help identify you when you log in to member portals (such as Fidelity’s PlanViewer for defined contribution members);
- information relating to your benefits such as your member identifying number (which is assigned to you by the Scheme), the date you joined or left the Scheme, your earnings, the category and value of benefits that you have built up or receive, and relevant matters impacting your benefits such as voluntary contributions, pension sharing orders, tax protections or other adjustments, and login information for members’ online accounts (where applicable); and
- in some cases, special categories of personal data such as your marital status, sexual orientation or information concerning your physical or mental health (e.g. in the case of ill-health early retirement and ill-health reviews, and where incapacity or similar reasons determine the benefits paid to you).

Where applicable, we also collect information about your dependants or next of kin. Before providing us with any such information, you should provide a copy of the information in this notice to those individuals.

In some cases, we will collect personal information about you indirectly from your (current or former) Scheme employer and from our service providers (e.g. the Scheme administrators, which at present are Barnett Waddingham LLP for the defined benefit section and FIL Life Insurance Limited (“**Fidelity**”) for the defined contribution section).

## 2 How we use your information

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 plans;
- (b) for general administration of the Scheme, such as: to record and pay benefits; for reviews we or our administrators conduct for statistical and reference purposes; and for other administrative activities that may become necessary from time to time (like member tracing) should we happen to lose contact with you and 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 Scheme; and
- (e) when we undertake activities from time to time to help us manage the liabilities of the Scheme, such as longevity hedging, insuring Scheme liabilities with an insurer, scheme mergers, bulk transfers, pension increase exchanges and enhanced 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 2(a) to 2(e) above, and (when we make disclosures to your (current or former) Scheme employer for the audit and corporate transaction purposes referred to below) necessary for the legitimate interests of that entity, such interests in each case not being overridden by your privacy interests;
- (ii) in some cases, necessary to meet our legal or regulatory responsibilities, such as disclosures to authorities, regulators or government bodies referred to below;
- (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, where the processing relates to personal data manifestly in the public domain or for reasons of substantial public interest (such as obtaining insurance when we carry out the activities in 2(e) above; or
- (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 allocate benefits or where the Scheme 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 administer your contributions and benefits or record or calculate or pay your or your beneficiaries' benefits.

### 3 Disclosures of your information

We typically share your information with the following recipients:

- our Scheme Actuary and defined benefits investment adviser Hymans Robertson LLP, who acts as a joint controller in its capacity as Scheme Actuary for the defined benefit section of the Scheme;
- our suppliers, such as our administrators (Barnett Waddingham LLP and Fidelity at present), and other providers of services to us and them including our Secretary to the Trustees Barnett Waddingham LLP, and our auditor Ernst & Young LLP. Your data may be shared with sub-processors engaged by Barnett Waddingham LLP or Fidelity for particular outsourced activities such as financial advisers (to provide you with financial advice), payroll providers (to record and pay benefits), providers of printing, communication, IT and hosting, marketing, and tracing services. In relation to the defined contribution section Fidelity may transfer information to other companies within the Fidelity group to assist in their administration of the Scheme. Where we share information with these recipients we take steps to ensure they meet our data security standards, so that your personal data remains secure;
- your (current or former) Scheme employer and/or other parties engaged by your (current or former) Scheme employer, such as for audit purposes, in relation to corporate transactions initiated by that entity. Your information may also be shared with your (current or former) Scheme employer and/or other parties engaged by your (current or former) Scheme employer for the purposes of providing information to members about access to the pension freedoms (either via a one-off exercise or as a business as usual offering) or other incentive exercises (such as Pension Increase Exchange), or for the purpose of securing members' benefits with an insurance company;
- Additional Voluntary Contribution ("**AVC**") providers. In relation to the defined benefit section, we currently have AVC arrangements in place with Equitable Life Assurance Society, Aegon Scottish Equitable and Fidelity Pensions Management. In relation to the defined contribution section of the scheme we have an AVC arrangement with Fidelity Pensions Management;
- our legal advisors (currently Linklaters LLP);
- our independent trustee (currently Law Debenture Corporation plc);
- insurance and reinsurance companies, such as when we carry out the activities referred in 2(e) above;
- public authorities, regulators or government bodies, including HM Revenue & Customs, the Department of Work & Pensions including when required by law or regulation, under a code of practice or conduct, or when these authorities or bodies require us to do so;
- other persons from time to time when the disclosure is needed to exercise or protect legal rights, including those of the Trustees or other stakeholders, or in response to requests from individuals or their representatives who seek to protect their legal rights or such rights of others;
- the Pensions Ombudsman where you have consented to that disclosure;
- third parties to whom you ask us to disclose your information, for example where you wish to transfer your pension; and
- where you are a member of the defined contribution section and have provided your specific consent, to (i) Fidelity's affiliated and associated companies for marketing purposes, or (ii) to

other Fidelity group companies in order to provide improved servicing of the accounts you hold with Fidelity Group, including reporting to you.

The Scheme Actuary uses your personal data to advise the Trustees on the financial management of the defined benefit section of the Scheme. This advice helps to ensure the Trustees are able to meet their obligations to pay members' benefits, and is necessary to comply with obligations placed on us by legislation, including the Pensions Act 2004.

#### **4 Transfers of your information abroad**

The use and disclosure of your information for the purpose referred to in 2(a) to 2(e) above may involve transferring your information to countries outside of the United Kingdom or the European Economic Area (EEA), including transfers made by our service providers. Those countries include India.

If you are based outside of the United Kingdom or the EEA, we will transfer your information outside the of the United Kingdom or the EEA in order to pay you. In this case, we will also transfer your information outside the United Kingdom or the EEA in order to trace you if we lose contact with you, and to confirm your continuing entitlement to benefits. We will also transfer your information outside of the United Kingdom or the EEA if you ask us to transfer your information to an overseas pensions provider. We do this because you have consented to this disclosure to allow us to make such overseas payments or because we have taken other measures to ensure that we continue to protect your information.

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 (and our processors) will ensure that the transferred information is protected in compliance with applicable data protection rules. To ensure an appropriate level of protection, we typically use 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 are available from us on request.

#### **5 Retention of your information**

We will keep your information for the longer of the period required in order to meet our legal or regulatory responsibilities, and the period envisaged within our retentions management documentation. We determine the period envisaged within such documentation with regard to the Scheme's operational and legal requirements. In general, given the nature of pension schemes, we will keep your information for your life, or longer period as required to administer your and your beneficiaries' benefits.

#### **6 Your rights**

You have rights under data protection law of access to and rectification or erasure of your personal data and to restrict its processing, to tell us that you do not wish to receive marketing information, and (in some circumstances) to require certain of your information to be transferred to you or a third party. To the extent, the use of your information is based on your consent, you have the right to withdraw your consent.

You also have the right to object to our processing of your personal data. Please note that if you choose to exercise your rights to withhold data or insist on its deletion, then the Trustees may not be able to perform their duties in relation to the Scheme, and your benefits could be affected.

You can lodge a complaint about our processing of your personal information with the ICO ([www.ico.org.uk](http://www.ico.org.uk)) whose helpline number is 0303 123 1113 or, if you are no longer resident in the UK, the relevant data protection authority in your country of residence.

## **7 Further information may be required to carry out requests**

In some cases, it may be necessary to obtain additional information from you, such as in order to carry out your request for a transfer or allocation of benefits. We will notify you when your information is required for this purpose.

## **8 Status of this privacy notice**

This privacy notice was last updated on 9 August 2023.

It may be subject to amendments. Any future changes or additions to the processing of personal data as described above in this private notice affecting you will be communicated to you through an appropriate channel, depending on how we normally communicate with you.

## **9 Contact Us**

If you have any questions or wish to exercise any of the above rights, you may contact us using the following contact details. You can also use these contact details if you wish to make a complaint about how we process your information.

Please contact the administrator of the relevant section of the Scheme that you are a member of using the contact details below. Note that in some cases you might be a member of both sections of the Scheme where you are entitled to both defined benefit and defined contribution benefits.

### **Defined Benefit Section administered by Barnett Waddingham LLP**

De Beers UK Pension Scheme  
Barnett Waddingham LLP  
Hartwell House  
Victoria Street  
Bristol  
BS1 6AD

Tel: 0333 11 11 222  
Email: [DeBeers@Barnett-  
Waddingham.co.uk](mailto:DeBeers@Barnett-Waddingham.co.uk)

### **Defined Contribution Section administered by Fidelity International**

UK Data Protection Officer  
Fidelity International  
Beech Gate, Millfield Lane  
Surrey KT20 6RP

Pensions Service Centre: 0800 3 68 68 68  
Email: [pensions.service@fil.com](mailto:pensions.service@fil.com)

***The Trustees of the De Beers UK Pension Scheme***