

## **Lubrizol Retirement and Death Benefits Plan Privacy Notice**

This Privacy Notice has been issued by the Trustees and Scheme Actuary of the Lubrizol Retirement and Death Benefits Plan (the Plan) to comply with the General Data Protection Regulation (GDPR), as it applies in the UK.

### **Data controllers**

The Trustees of the Plan are currently *Anthony Smits, Marc Verthongen, Simon May, Michael Kelley, Cassie Leiby and Steve Cook (Chair)*.

The Scheme Actuary to the Plan is Heather Winrow of Mercer Limited.

In accordance with guidance issued by the Information Commissioner's Office (ICO), the Trustees and Scheme Actuary of the Plan are considered "data controllers" (the people who decide the purpose for which personal data is processed) for the purposes of the GDPR. It is possible that in some circumstances other organisations may be considered to be data controllers. This might include the Scheme Actuary's employer (Mercer Limited), the Secretary to the Trustees (Dalriada Trustees Limited), the Plan's auditor (BHP LLP) or legal advisers (Pinsent Masons LLP) and organisations such as AVC providers, bankers and insurers.

The data controllers can be contacted as follows:

*Charles Ward  
Secretary to the Trustees  
Lubrizol Retirement & Death Benefits Plan  
The Knowle  
Nether Lane  
Hazelwood  
Derbyshire  
DE56 4AN*

Email: [lubrizol@dalriadatrustees.co.uk](mailto:lubrizol@dalriadatrustees.co.uk)

Telephone: 028 9041 2018

### **Use, transfer and storage of personal data**

In the course of running the Plan, we may require information from you in relation to your marital status (which may include the gender of your spouse or civil partner) and / or information about your (or your partner's) health. Such information will be used by the Plan's administrators to determine the benefits payable to you and your beneficiaries.

In addition, we may hold any or all of the following items of personal information about you:

- Personal details including your name, National Insurance number, gender, age, date of birth, postal and/or email address and telephone number.
- Descriptions relating to your physical and mental health (to the extent that they are relevant to the calculation and payment of your benefits from the Plan).
- Details of your family and other dependants (to the extent that they are relevant to the calculation and payment of benefits under the Plan)
- Salary and data relating to investments and pension assets held outside of the Plan (to the extent they are relevant for the calculation and payment of your benefits, or to the taxation of your benefits from the Scheme).
- Employment history, including employment dates, periods of absence and historic pay records.
- Bank account details for payment of benefit instalments, HMRC tax code.
- Details of any criminal convictions if these relate to the Plan's employer and it is entitled to be reimbursed from your benefits in relation to a claim against you.
- Information provided in connection with any request to transfer your benefits out of the Plan.

Your personal data is provided to the data controllers by the Plan's employer or may be obtained directly from you or from others on your behalf. It is not publicly accessible data. The personal data collected relates to your employment and membership of the Plan. Some data may also be obtained from third parties, such as government departments or tracing agencies. Your personal data will be stored until such time as we no longer need it, which will be at least for the lifetime of the Plan.

The Trustees share your data with Mercer Limited (as the Plan's consultants and employer of the Scheme Actuary), the Plan's administrator (Premier), the Secretary to the Trustees, annuity providers (Utmost and Prudential), the Scheme Actuary and the sponsoring employer. They may also share data with the Trustees' other professional advisers (including the Scheme auditor, legal adviser and pension consultants), insurers and potential insurers, bankers, regulatory and government bodies (including, but not limited to, HM Revenue and Customs, the Department for Work and Pensions and the Pensions Regulator) and any person you authorise to act on your behalf.

The Trustees can share your data with the employer and its advisers for the purposes of providing information to the members about access to the pension freedoms (either via a one-off exercise or as a business-as-usual offering) or other alternative benefits options or projects relating to the Plan.

Your data may be shared by the organisations mentioned above with their business suppliers for particular outsourced activities such as bulk printing jobs, confirmation of address/existence, the operation of IT systems, offsite backup and archive. A comprehensive list of parties with whom data may be shared is set out in the Trustees' formal Data Mapping document, available on request in writing to the Data Controllers at the address above.

The Plan's administrators, on behalf of the Trustees, will use your personal data to ensure that the correct benefits can be paid to you and that your requests can be dealt with efficiently, in accordance with the Trustees' **legal obligation** to run the Plan in accordance with the Trust Deed and Rules. The Trustees and / or administrators may contact you directly in order to provide relevant information, or to deal with your queries. Sometimes we may ask for your consent to use your personal data, for example where it relates to your health. We'll let you know where this is the case.

In addition, it is in your and the Trustees' **legitimate interests** to use your personal information to:

- Keep up to date and accurate records about your membership of the Plan *so that the correct benefits can be paid*
- Undertake risk-management exercises, including insuring the Plan's benefits, *so that the risk your benefits are not paid is reduced*
- Comply with the law, including regulations and guidance issued by the Pensions Regulator *so that you, the Trustees and their advisers act in accordance with their legal obligations*
- Efficiently manage the impact of any change to the legal status of the sponsoring employer *so that your benefits are not adversely affected for example by a sale or company merger*

The Scheme Actuary uses your personal data to advise the Trustees on the financial management of the Plan. 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 them by legislation, including the Pensions Act 2004. They will also use your personal information to comply with their own legal obligations, and may need to share your details with other organisations for legal reasons, such as courts and law enforcement agencies. They may also share it with their own professional advisers, auditors and insurers, IT and data storage providers and other service providers.

The Scheme Actuary may also use your personal data in research which assists actuaries in providing this type of advice - for example research into the mortality experience (life expectancy) of pension Scheme members in general. This may include the provision of personal data, anonymised as far as possible, to a recognised external authority, such as the Continuous Mortality Investigation (CMI) which investigates mortality experience on behalf of the Institute and Faculty of Actuaries.

Other than as outlined above, the Scheme Actuary will not pass your personal data to any third party without the prior agreement of the Trustees.

Your personal data will not usually be transferred to another country unless you request for this to be done. Personal data may, however, be transferred by the Plan's service providers or their business suppliers, for example where they host data outside the UK. These transfers will be governed by the data protection laws which allow the transfer of data to a country which the UK government considers ensures an adequate level of protection of personal data. These "adequacy regulations" currently apply to a number of countries, including countries within the European Economic Area. If there are no adequacy regulations in place, your data may only be transferred if there are adequate safeguards and if you would have enforceable legal rights and effective legal remedies in respect of your data. You can contact us if you would like more information about these safeguards.

#### **Your rights in relation to your data.**

The purpose of this Privacy Notice is to fulfil your right to be informed about the use of your personal data. In addition:

- You have the right to access your personal data. If you wish to request copies of your personal data, please contact the data controllers at the address above.

- You have the right to have your personal data rectified if it is inaccurate or incomplete.
- You have the right to have your personal data deleted or removed if there is no reason for its continued storage and processing.
- You have the right to object to your personal data being processed and to restrict the processing of your personal data in certain circumstances. While processing is restricted, the data controllers are permitted to store the personal data to ensure the restriction is respected in future. You will be informed if a restriction on processing is lifted.
- You have the right to lodge a complaint about the data controller with the ICO.

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 Plan, and your benefits could be affected.

Further details about GDPR and your rights under GDPR can be found on the ICO's website at <https://ico.org.uk>.